



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1873 of 2026

Birbal Kashyap S/o Bhagaram Kashyap Aged About 25 Years R/o Village Kuriyari, Police Station Shivrinarayan, District Janjgir-Champa C.G.

... Applicant**versus**

State of Chhattisgarh through the Station House Officer, Police Station Shivrinarayan, District Janjgir-Champa C.G.

... Respondent

For the applicant : Mr. Vivek Singhal, Advocate

For the State : Mr. Tarkeshwar Nande, Panel Lawyer.

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)**Order on Board****30.03.2026**

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No. 246/2022 registered at Police Station Shivrinarayan, District Janjgir Champa (CG) for the offences under Sections 354 of IPC and Section 8 of the POCSO Act.

2. As per the prosecution case, on 26.06.2022 the present applicant entered into the house of complainant when the daughter of the complainant was alone in home and kissed her. On the said complaint, crime was registered against the applicant.

3. Learned counsel for the applicant submits that the victim and her father have been examined before the trial Court and they became hostile to the prosecution case. In fact, the applicant had no knowledge of the incident for a long time; he had gone outside the State for earning his livelihood and he had not absconded. He submits that the applicant is in jail since 19.01.2026; charge sheet has been filed; till date out of a total 10 witnesses, only 2 have been examined and there is no immediate possibility of disposal of case, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the victim was minor at the time of incident.

5. The victim/complainant/informant was not connected VC from the concerned DLSA, therefore, their opinion regarding grant of bail could not be recorded.

6. Having considered the submissions made by learned counsel for the parties; over all facts situation of the case and further looking to the court statement of the victim as also the fact that the trial is likely to take time, without observing anything on the merits of the case I am inclined to release the applicant on regular bail.

7. Accordingly, this bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed in that behalf.

Cc as per rules.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao