



2026:CGHC:13361



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2100 of 2026

Ishwar Yadav, S/o Naihar Sai Yadav, aged about 25 years, R/o Village Dhaurabhantha, Post Khamhar, P.S. and Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh

... Applicant

versus

State of Chhattisgarh, Through Station House Officer, P.S. Dharamjaigarh, District Raigarh, Chhattisgarh

... Respondent

For Applicant	:	Mr. Ashish Gupta, Adv.
For Respondent/State	:	Ms. Priya Sharma, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

19/03/2026

1. Despite service of notice to the victim, none appeared on behalf of the victim.
2. The applicant has preferred this 2nd bail application under Section 483 of Bhartiya Nagrik Suraksha Sanhita Act 2023 for grant of regular bail as he is arrested in connection with crime No. 260/2025, registered at Police Station – Dharamjaigarh, District-Raigarh (C.G.) for offence punishable under Sections 65(1), 64(2)(m) of BNS and Sections 4 & 6 of the POCSO Act, 2012.
3. First bail of the applicant was dismissed as withdrawn vide order dated 12.01.2026 passed in MCRC No.10025/2025.
4. The prosecution's case, in short, is that on 26.02.2025, the applicant induced the minor victim on the pretext of marriage who was aged



about 16 years and 6 months and committed sexual intercourse with her more than once due to which she became pregnant. Based on above, offence has been registered against the applicant and he was arrested on 22.09.2025.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The victim and her mother have been examined before the Trial Court. There was a love affair between the applicant and the victim and she was a consenting party. There is no conclusive evidence available on record to prove her age. The applicant is in jail since 22.09.2025, out of 18 prosecution witnesses only 3 have been examined till date and the trial is likely to take time to be finalized, therefore, it is prayed that the applicant may be enlarged on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application and submits that at the time of incident, the victim was minor and she became pregnant by the applicant, therefore, looking to the nature of offence, the applicant may not be released on bail.
7. I have heard learned Counsel appearing for the parties and perused the material available on record.
8. Considering the facts and circumstances of the case, evidence collected by the prosecution, detention period of the applicant and the statements of victim and her mother, further considering the fact that the trial is likely to take some time to be finalized, without commenting on merits of the case, I am inclined to release the applicant on bail.
9. Accordingly, the bail application is **Allowed**.
10. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Sanjay Kumar Jaiswal)
Judge