



2026:CGHC:15426



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2964 of 2026**

Mithlesh Yadav S/o Santosh Yadav, Aged About 28 Years R/o Village
Saraipali, Police Station- Tendukona, District- Mahasamund (Chhattisgarh)

... Petitioner(s)**versus**

State Of Chhattisgarh Through The Station House Officer, Police Station-
Bagbahra, District- Mahasamund (C.G.)

... Respondent(s)

For Petitioner(s) : Mr. Pawan Kesharwani, Advocate

For Respondent(s) : Ms. Richa Sahu, Panel Lawyer for the State

Hon'ble Shri Justice Ravindra Kumar Agrawal, J.**Order on Board****02/04/2026**

1. This is the second bail application of the applicant.
2. The first bail application of the applicant has been rejected on merits by this Court vide order dated 21.04.2025 passed in MCRC No. 2366/2025.



3. The applicant who is arrested on 16.02.2025 in connection with crime No. 41/2025 registered at Police Station – Bagbahara, District – Mahasamund (C.G.) for the offence under Sections 87, 64(2)(M), 65(1) of the BNS and Section 6 of the POCSO Act, 2012, he is claiming regular bail.
4. The case of the prosecution in brief is that on 16.02.2025, mother of the victim lodged named report against the appellant that her minor daughter is being sexually exploited by the applicant since 01.11.2024 on the pretext of the marriage. FIR has ben registered under Sections 87, 64(2)(M), 65(1) of the BNS and Section 6 of the POCSO Act, 2012, and the applicant has been arrested on 16.02.2025. After investigation, charge-sheet has been filed.
5. Learned counsel appearing for the applicant would submit that the victim, her parents and school Teacher have been examined. They were material witnesses in the case and have not duly supported the prosecution's case. The applicant is in jail since 16.02.2025 and out of 20 witnesses only 6 witnesses have been examined till date, therefore, he filed the second bail application.
6. On the other hand, learned counsel for the State opposed.
7. I have heard learned counsel for the parties and perused the material annexed with the bail application.
8. Considering the submissions made by the learned counsel for the parties, considering the fact that the first bail application of the applicant has been dismissed on merits, further considering the age of the victim and the material collected during the investigation against the



applicant, further that the trial is in progress and out of 20 witnesses, 6 witnesses have been examined, I am not inclined to consider it to be the change in circumstances and to admit the second bail application.

9. Accordingly, the second bail application of the applicant is **dismissed**, however, considering the fact that the applicant is in jail since 16.02.2025, the learned trial court is directed to expedite the trial of the case.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE