



2026:CGHC:16367

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2783 of 2026**

1 - Ashish S/o Shri Dhanau Ram Nirala, Aged About 19 Years, R/o Village Deorimath, Police Station Hasoud, District Sakti (C.G.).

... Applicant**versus**

1 - State Of Chhattisgarh Thourgh- The Station House Officer, Police Station Mangchua, District-Balod, (C.G.).

... Respondent

For Applicant : Mr. Roop Ram Naik, Advocate.

For State/Respondent : Ms. Binu Sharma, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****09/04/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 24/2025 registered at Police Station – Mangchua, District-Balod (C.G.), for the offence punishable under Sections 137(2), 64(2)(m), 65(1) and 87 of BNS, 2023 and Section 5(I)/6 of POCSO Act.
2. The case of the prosecution, in short, is that on 19.09.2025, a missing complaint was lodged by the father of the victim at the

concerned Police Station to the effect that someone had lured his minor daughter and taken her away with him. On the basis of the said complaint, a crime has been registered against an unknown person. During the investigation, on 27.09.2025 the victim was recovered from the possession of the applicant. Based on this, an offence has been registered against the applicant.

- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case with no connection to the alleged offence. He further submits that the victim voluntarily accompanied the applicant and was a consenting party, therefore, no offence is made out against the appellant. He next submits that the victim and her father have been examined and turned hostile. The applicant has no criminal antecedents and has been in jail since 29.09.2025 and the trial is likely to take considerable time to conclude, therefore, the present applicant may be released on bail.
- 4.** On the other hand, learned counsel for the State opposed the bail application, submitting that at the time of the incident, the victim was a minor. Out of a total of 26 witnesses, only 06 have been examined till date, therefore, at this stage, the applicant should not be released on bail.
- 5.** Pursuant to the order of this Court dated 25.03.2026, the victim along with her father appeared virtually through the concerned DLSA and raised her 'objection' in granting bail to the applicant.
- 6.** I have heard learned counsel appearing for the parties and

perused the case diary.

7. Considering the facts and circumstances of the case, the nature and gravity of the offence, and on perusal of the court statements of the victim and her father, and also taking into account that the applicant has been in jail since 29.09.2025, out of 26 witnesses, only 06 have been examined till date, and the trial is likely to take considerable time to conclude, therefore, I find it appropriate to release the applicant on bail.
8. Accordingly, the 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.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Sanjay Kumar Jaiswal)
Judge**