



2026:CGHC:3340

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 10080 of 2025**

Subhash @ Babu S/o Vijay Kumar Aged About 20 Years R/o Village Gadbadi, Police Station Baikunthpur, District Koriya (C.G.) ... **Applicant**

versus

State of Chhattisgarh through the Station House Officer, Police of Police Patna, District Koriya (C.G.) ... **Respondent**

For the applicant : Mr. Anil Gulati, Advocate

For the State : Ms. Priya Mishra, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)**Order on Board****20.01.2026**

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. 103/2025 registered at Police Station Patna, District Koriya (CG) for the offences under Sections 137(2), 87, 64(2)(M) of Bhartiya Nyaya Sanhita and Section 4(1), 5(L)/6 of Protection of Children from Sexual Offences Act.

2. As per the prosecution case, a missing report was lodged by the father of victim to the effect that on 04.5.2025 at about 10.00 pm, the victim went for sleep along with her younger sister and next day in the morning, when the mother of victim went towards the room, the victim was not found and the parents searched for the victim and when she was not found, the report was lodged. During investigation, the victim was recovered on 12.07.2025 and subsequently her statement was recorded, on the basis of which, the police arrested the applicant.

3. Learned counsel for the applicant submits that the victim has been examined before the trial Court and she has not supported the case of prosecution. He submits that the victim who is shown to be aged about 17 years and 9 months had voluntarily accompanied the applicant and stayed with him at Aurangabad for a considerable time, therefore, she was consenting party. He further submits that although the victim is stated to be minor yet the evidence of correct age has not been proved. He submits that the applicant is in jail since 29.07.2025 and till date out of a total 22 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 at the time of incident, the victim was minor and the applicant took her away from the lawful custody of her parents.

5. The victim alongwith her father have appeared through VC from the concerned DLSA and objected to bail.

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

7. Accordingly, the 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