



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 267 of 2026

Keshav Yadav S/o Kartik Yadav Aged About 23 Years R/o - Village - Silpahari,
Police Station - Sirgitti, District - Bilaspur, C.G.

... Applicant

versus

State Of Chhattisgarh Through - Police Station - Sirgitti, District - Bilaspur
(C.G.)

... Respondent

For Applicant	:	Mr. Shashi Kumar Kushwaha, Adv.
For Respondent/State	:	Ms. Sunita Manikpuri, G.A.

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order On Board

21/01/2026

1. Mother of the victim appeared before this Court today and recorded 'objection' in granting bail to the applicant.
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.125/2024, registered at Police Station – Sirgitti, District- Bilaspur (C.G.) for offence punishable under Sections 363, 366, 376 (2)(n) of the IPC and Sections 4 & 6 of the POCSO Act, 2012.
3. First bail of the applicant was dismissed on merits vide order of this Court dated 13.08.2025 passed in MCRC No.6064/2025.
4. The prosecution story, in short, is that on 10.02.2024, mother of the victim lodged a report in concerned Police Station alleging therein that on 09.02.2024 at 7:00 PM, her daughter went to the toilet and did not return. She suspected that some unknown person lured her daughter and taken her away. On the basis of the said complaint, initially offence under Section 363 of IPC was registered. During course of investigation, on the information provided by the victim itself, she

recovered on 12.02.2024 and her statement was recorded. Later on, on the application of the victim, her supplementary statement U/s 161 was again recorded on the basis of which, offence under Sections 366, 376 (2)(n) of IPC and Sections 4 & 6 of the POCSO Act were added.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The statement of the victim has recorded before the Trial Court. Though she was stated to be 17 years at the time of incident, but there is no conclusive evidence available on record to prove her age. There was a love affair between the applicant and the victim and the victim was a consenting party. He further submits that the victim herself joined the company of the applicant on her own free will. Furthermore, the victim got married with other person and was also pregnant. He lastly submits that the applicant is in jail since 24.06.2025, out of 22 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, 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 and the detention period of the applicant, without further 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