



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 339 of 2026

Vivek @ Vishal Shriwas S/o Ganga Ram Shriwas Aged About 19 Years Resident Of Ward No.11, Village Adbhar Chowki Adbhar (Wrongly Mentioned In Impugned Order) P.S. Malkharauda District- Sakti Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through - Station House Officer, Police Station Baloda District- Janjgir-Champa (C.G.)

... Respondent

For Applicant	:	Ms. Nita Choubey, Advocate
For Respondent	:	Mr. Anish Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

21.01.2026

1. The victim along with her parents appeared before this Court today through virtual mode from the concerned DLSA and expressed their no-objection in granting bail to the applicant.
2. This is the second bail application filed u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime

No.18/2025 registered at Police Station Baloda, District Janjgir-Champa (CG) for offence punishable under Sections 137(2), 96, 64, 61(2) of BNS, Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012 & Section 3 (2) (v) of SC/ST Act.

3. The first bail application was rejected by this Court on merits vide order dated 17.06.2025 in MCRC No.3391/2025.
4. As per the prosecution case, on 18.01.2025 the father of the victim had lodged a missing report to the effect that on 17.01.2025 when he went to his-in-laws house at village Bendarkona, District – Korba, his elder son Mukesh Patel informed him that the victim had left the house at about 11:30 pm and did not return. Despite search by the family upon the father's return at 2:30 a.m., she could not be located. During the subsequent investigation, the victim was recovered at the Kharsia Railway Station on 25.01.2025, thereafter, her statement was recorded by P.S. Baloda on 25.01.2025 wherein she made allegations against the applicant and co-accused persons. Based on this, offence has been registered against the present applicant.
5. Learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in this case. She submits that the victim and her parents have been examined before the trial Court and they have not supported the case of prosecution and turned hostile. The victim and her parents have also given their no-objection in granting bail to the applicant. She submits that the main accused Rahul Shrivash and co-accused

Devanand Shrivash have already been granted bail by this Court vide order dated 17.12.2025 & 07.01.2026 in MCRC No. 10016/2025 & 10243/2025 respectively. She further submits that the applicant is in jail since 23.03.2025 and there is no likelihood of the trial to be concluded at the earliest. Therefore, considering all these facts, the applicant may be released on bail.

6. Learned State counsel, on the other hand, opposing the bail application submits that the victim was minor at the time of incident and considering the nature of offence, the applicant does not deserve to be released on bail.
7. Heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the entire facts and circumstances of the case, particularly the facts that the victim and her parents have been examined, her parents have also given their no-objection in granting bail to the applicant, co-accused Rahul Shrivash and Devanand Shrivash have already been granted bail by this Court and also considering the fact that the applicant is in jail since 23.03.2025 and there is all possibility of the trial taking considerable time for its final conclusion, this Court is of the opinion that prima facie, a case for grant of bail to the applicant has been made out.
9. Accordingly, the application for grant of bail is **allowed**. It is directed that the present Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial

Court. The applicant is directed to appear before the trial Court on each and every date to be given to him by the said Court till completion of the trial.

10. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE

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