



2026:CGHC:20258

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3300 of 2026**

**1** - Mona Barve W/o Ravi Barve Aged About 30 Years R/o P.M. Awas Umda Road Ward No. 18, P.S. Bhilai District- Durg Chhattisgarh,

**2** - Ravi Barve S/o Kunwarlal Barve Aged About 31 Years R/o P.M. Awas Umda Road, Ward No.18, Ps. Bhilai District- Durg Chhattisgarh

**... Applicant(s)****versus**

State Of Chhattisgarh Through - Police Station Bortalab District- Rajnandgaon (C.G.)

**... Non-applicant(s)**

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For Applicants : Mr. B.P. Singh, Advocate.

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For Non-applicant/State : Ms. Ritika Verma, Panel Lawyer.

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**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****30.04.2026**

1. Learned State counsel submits that the notice of the bail application has been served to the complainant i.e. Mother of the victim.
2. The applicants have preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 01/2026, registered at Police Station Bortalab, District :



Rajnandgaon (C.G.) for the offence punishable under Sections 61(1), 337, 338, 339, 318(4) of the BNS, 2023 and 4, 21 of POCSO Act and 80 of Juvenile Justice (Care and Protection of Children) Act 2000 (As per dismissal order).

3. As per the prosecution story, the mother of the victim lodged a report before the concerned police station stating therein that her daughter is a minor, aged about 15 years. In the month of March, the victim complained of vomiting, upon which her mother called a doctor, who prescribed medicines to control the vomiting, and thereafter she recovered. Subsequently, in the month of September, the victim again complained to her mother of stomach pain and stated that she felt unusual sensations in her abdomen. Her mother informed the family members and the victim was taken to a private hospital, where it was revealed that she was pregnant. Upon being questioned, the victim disclosed that she was in a relationship with a boy, namely Aditya Verma, who is also a minor. They were studying together in school, however, after failing in Class 9, the boy left the school. Despite this, they remained in contact through messaging and developed a physical relationship, as a result of which she became pregnant. Thereafter, when her relatives (dewar and dewarani) took her to a private hospital, namely Kumud Mohabe Hospital, she delivered a male child. It is further alleged that the hospital staff, in collusion with other persons, illegally gave the child in adoption to accused Ravi Barve and Meena Barve, residents of Durg. It is also alleged that the birth certificate of the child was forged and that the entire hospital staff, including the



present applicants, were involved in the commission of the said offence. During the course of investigation, the minor boy as well as other co-accused persons were arrested and the aforesaid crime has been registered.

4. Learned counsel for the applicants submit that the present applicants are innocent and have been falsely implicated in the present case. It is contended that the victim was in a consensual relationship with a minor boy, namely Aditya Verma, and due to such relationship, she became pregnant, on account of which the FIR came to be lodged. It is further submitted that the present applicants have neither directly nor indirectly participated in the alleged offence. Rather, it is the co-accused, namely Goverdhan Yadav and Vinita Bai Yadav (uncle and aunt of the victim), along with the main accused Dr. Vijay Nagvanshi, who are responsible for forging the birth certificate of the child born out of the said pregnancy, allegedly due to social pressure. It is further argued that the present applicants themselves are victims of deception, as they were misled into believing that the child belonged to the said co-accused persons. Being childless and out of love and affection, the applicants agreed to adopt the child through a "Godnama" executed by the said co-accused. It is submitted that the applicants are illiterate persons and were unaware of the legal procedure for adoption, they bona fide believed the notarized affidavit to be a valid document. Prior to the adoption, they had also consulted the doctor, who assured them that the adoption was lawful and on such assurance, a birth certificate was issued under the signatures of the



competent municipal authority. It is thus contended that the entire act of the applicants was bona fide and without any criminal intent, and they had been taking proper care of the child since the date of adoption i.e. 10/10/2025, until their arrest, without any knowledge that the child was born to a minor girl or that any illegality was involved. It is further submitted that other co-accused persons have already been enlarged on bail by this Court and on the ground of parity also, the present applicants are entitled to be released on bail.

5. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the allegations against the present applicants are serious and grave in nature. It is contended that, as per the prosecution story, the victim is a minor girl aged about 15 years who became pregnant and subsequently delivered a male child at a private hospital. Thereafter, in connivance with co-accused persons and hospital staff, the said newborn child was illegally handed over to the present applicants and the birth certificate was forged to give a colour of legality to such illegal adoption. It is further submitted that from perusal of the statement of the victim recorded under Section 183 of the BNSS, it clearly goes to show that the child born to the victim was transferred in an unlawful manner and the applicants were knowingly involved in the said case. She further submits that the offence involves exploitation of a minor, illegal adoption and fabrication of official documents, which are serious offences affecting society at large. Therefore, considering the nature and gravity of the offence, the role attributed



to the present applicants and the material available on record, the applicants are not entitled to be released on bail and the application deserves to be rejected.

6. When the matter was called for hearing, the victim appeared through video conferencing from DLSA, Rajnandgaon, and submitted that she has no objection if bail is granted to the applicants.
7. I have heard learned counsel for the parties and perused the materials available on record.
8. Taking into consideration the facts and circumstances of the case, the nature of allegations levelled against the applicants, the material available on record and the submissions advanced by learned counsel for the parties, particularly the fact that co-accused Vijay Raj Nagwanshi has already been granted anticipatory bail by this Court in MCRCA No. 180 of 2026 vide order dated 25.03.2026 and co-accused Geshu Dewangan has also been granted regular bail by this Court in MCRC No. 2137 of 2026 vide order dated 25.03.2026, and considering that the case of the present applicants stands on similar footing to that of the aforesaid co-accused persons, coupled with the fact that the role attributed to the present applicants is limited to adoption of the child and further taking into account the statement of the victim recorded under Section 183 of the BNSS, as well as the fact that the charge-sheet has already been filed and the victim appeared through video conferencing, raised no objection and the trial is likely to take considerable time for its conclusion, this Court is of the view that it is a fit case to extend the benefit of bail to



the present applicants.

9. Accordingly, the bail application of the applicants are **allowed**.
10. Let applicant – **Mona Barve** and **Ravi Barve**, involved in Crime No. 01/2026, registered at Police Station Bortalab, District : Rajnandgaon (C.G.) for the offence punishable under Sections 61(1), 337, 338, 339, 318(4) of the BNS, 2023 and 4, 21 of POCSO Act and 80 of Juvenile Justice (Care and Protection of Children) Act 2000 (As per dismissal order), be released on bail on his furnishing **a personal bond with two sureties each** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.



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(iv) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberated or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

11. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-  
(Ramesh Sinha)  
Chief Justice**