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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3809 of 2026**

**1** - Banti Yadav S/o- Late Shri Manharan Yadav Aged About 27 Years  
R/o- Village- Chirmiri, Ward No. 21, Dhakka Dafai, P.S. Chirmiri,  
District- MCB (C.G.)

**... Applicant****versus**

**1** - State Of Chhattisgarh Through- S.H.O., P.S. Shivrinarayan,  
District- Janjgir- Champa (C.G.)

**... Respondent**

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For Applicant : Mr. Ravindra Sharma, Adv.  
For State : Mr. Suresh Tandan, P.L.

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**Hon'ble Shri Justice Sanjay Kumar Jaiswal****Order on Board****05/05/2026**

- 1.** This is the **second 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. 63/2023 registered at Police Station – Shivrinarayan, District Janjgir-Champa (C.G.), for the offence punishable under Sections 363, 366, 376(2)(n) of IPC and Section 6 of POCSO Act.
- 2.** The first bail application of the applicant was dismissed on merit by this Court on 19.02.2026 in MCRC No. 1375/2026.
- 3.** As per the prosecution's case, the allegation against the applicant is that on 06.02.2023 he had taken away the



complaint's minor daughter/victim with an intention to seduce her into illicit sexual intercourse and committed rape and aggravated penetrative sexual assault on her on multiple occasions between 06.02.2023 and 12.02.2023 without her consent or will. Based on this, offence has been registered against the present applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that when the first bail application of the applicant was dismissed, the trial was not commenced. Now, the trial has commenced, and there are a total of 30 listed witnesses in this case, out of which 2 witnesses, i.e., the victim and her father, have been examined. The victim and her father have turned hostile and do not support the case of the prosecution. The applicant is in jail since 17.11.2025, and the trial is likely to take considerable time to conclude. Therefore, he prays for the grant of regular bail to the applicant.
5. On the other hand, learned counsel for the State opposed the bail application and submitted that the victim was minor at the time of the incident. The applicant has 3 criminal antecedents under the IPC; therefore, the applicant may not be released on bail.
6. No one appeared on behalf of the victim, though notice has been served.
7. I have heard learned counsel appearing for the parties and perused the case diary.
8. Considering the facts and circumstances of the case and looking to the Court statements of the victim and her father, and also considering the fact that the applicant is in custody since 17.11.2025, and the trial is likely to take considerable time, therefore, at this stage, without commenting on merits of the case, I am inclined to release the applicant on bail.
9. Accordingly, the application is **allowed** and it is directed that the applicant shall be released on bail on his furnishing a



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personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the 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 disposal of the trial. It is made clear that any observation made by this Court in this order shall not affect the trial of the case.

- 10.** 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**

H.L. Sahu