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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5476 of 2026

Shubham Mishra S/o- Shri Satyaprakash Mishra, Aged About 21 Years R/o- Dadanagar Safed Colony, Govindnagar, Kanpur, District- Kanpur (U.P.)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Police Station- Gandhinagar, District- Surguja (C.G.)

... Respondent

(Cause-title is taken from CIS)

For Applicant	:	Mr. Rishi Rahul Soni, Adv.
For Respondent/State	:	Ms. Deepa Singh, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order On Board

02/07/2026

1. None appeared on behalf of the victim though notice has been served.
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.659/2025, registered at Police Station – Gandhinagar, District- Surguja (C.G.) for offence punishable under Sections 137(2), 308(2), 62 of BNS and Section 12 of the POCSO Act, 2012.
3. First bail of the applicant was dismissed vide order dated 13.03.2026 passed in MCRC no.1942/2026.
4. The prosecution's case, in short, is that a report was lodged that the applicant came in contact with the minor girl through social media app and obtained a total sum of Rs.26,000/- from her on different times and places by giving threats and putting her under fear of making viral her photographs and chatting. It is further alleged that the applicant

attempted to kidnap the victim from her school by impersonating as the uncle of victim. On such report, the offence was registered and the applicant was arrested.

5. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the crime in question. The change in circumstances, as compared to the first bail application, is that at the time of disposal of the first bail application of the Applicant, the victim had not been examined, whereas she has now been examined. He further submits that the Applicant has been in custody since 17.12.2025. Out of 9 prosecution witnesses, only two have been examined till date, and the trial is likely to take considerable time for conclusion. In view of the above, 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 granted benefit of 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, the evidence collected by the prosecution, the period of detention of the Applicant, the change in circumstances as the victim has been examined on 09.04.2026, and the statement of the victim, and further considering that the trial is likely to take considerable time for conclusion, without 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 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