CGHC010280932026 2026:CGHC:43009

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6857 of 2026

1 - Om Prakash Kashyap S/o Ramesh Kumar Kasyap Aged About 20 Years R/o Village Kurudih Sohagpur, Police Station Urga, District Korba Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through The Police Station Urga, District Korba Chhattisgarh

... Non-applicant

For Applicant	:	Mr. S.P. Sannat and Mr. Munendra Sharma, Advocates
For Non-applicant /State	:	Ms. Ritika Verma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 162/2026, registered at

Police Station Urga, District – Korba (C.G.) for offence punishable under Section 79 of BNS and Section 14(1) of the POCSO Act.

2. As per the case of the prosecution, FIR was lodged by the victim on 11/03/2026 stating that on 07/03/2026, the applicant herein created fake instagram ID of the victim and uploaded her objectionable photograph along with obscene comment. Accordingly, the aforesaid offence was registered against the applicant and he was arrested on 11/03/2026.

3. Learned counsel for the applicant, would argue that the applicant is innocent and has been falsely implicated in the crime in question and there is no material available against the applicant in the entire charge-sheet. He would further submit that there is no previous criminal antecedent of the applicant; charge-sheet has already been filed and the applicant is in jail since 11/03/2026, therefore, he be released on bail as conclusion of trial is likely to take considerable time.

4. On the other hand, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that is serious allegation against the applicant that he created fake instagram ID of the minor victim and uploaded her objectionable photograph and also made vile comments therein, as such, the instant bail application is liable to be dismissed.

5. In compliance of order dated 29/07/2026, victim along with her father appeared before this Court through video conferencing from

the concerned DLSA and raised objection in grant of bail to the applicant.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. Having considered the facts and circumstances of the case particularly considering that in the entire case diary, there is no material available against the applicant as has been alleged in the FIR as well as in the statement of the victim under Section 183 of BNSS and further considering that the applicant has no previous criminal history; the charge-sheet has been filed and the applicant is in custody since 11/03/2026, this Court, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicant is **allowed**.

8. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

   (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date

given to him by the said Court till disposal of the trial.

9. The observation made herein-above is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet