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2026:CGHC:28285

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 786 of 2026

Akhilesh Gautam @ Kanha Gautam S/o Santcharan Gautam Aged
About 33 Years R/o Village- Kamalpur P.S. Raghunathnagar Distt-
Balrampur-Ramanujganj (C.G.)

... Applicant

versus

State Of Chhattisgarh Through- Station House Officer, Raghunathnagar
Distt- Balrampur- Ramanujganj (C.G.)

... Respondent

For Applicant : Ms. Akansha Singh, Advocate.

For : Shri Sourabh Sahu, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order On Board

08/07/2026

1. The applicant has preferred this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of anticipatory bail, apprehending his arrest in connection with Crime No.36/2026, registered at Police Station Raghunathnagar, Distt Balrampur-Ramanujganj (C.G.) for alleged

commission of offence punishable under Sections 351(3) and 70 of B.N.S. 2023.

2. Case of the prosecution, in brief, is that a written report has been by the victim against the present applicant and another co-accused that on 20.04.2026 at about 10 PM, she went to the hand pump after shutting her shop where the applicant and co-accused Pinku Pandey were consuming liquor and it is alleged that present applicant caught hold of the victim from behind and both used their hands to shut the mouth of the victim and forcefully committed sexual intercourse with her and threatened her to kill, if she reports the case. F.I.R. was registered against the accused persons and the applicant is apprehending his arrest in the aforesaid false case registered against him.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated because of the some earlier dispute between the victim and the applicant. She would submit that though allegation of rape has been levelled against the applicant but there is no injury. She would submit that the applicant is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, applicant is a permanent resident of address mentioned in the cause title and there is no chance of his absconding, therefore she prays to enlarge the applicant on anticipatory bail.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail and submitted that as per 183 BNSS statement of the victim goes to show that allegation of rape has been levelled against both the applicant and the co-accused Pinku Pandey, therefore applicant is not entitled for grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, further the fact that as per 183 BNSS statement of the victim it goes to show that allegation of rape has been levelled against both the applicant and the co-accused Pinku Pandey and also considering the fact that investigation is still going on, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application of the applicant - **Akhilesh Gautam @ Kanha Gautam**, involved in Crime No.36/2026, registered at Police Station Raghunathnagar, Distt Balrampur-Ramanujganj (C.G.) for alleged commission of offence punishable under Sections 351(3) and 70 of B.N.S. 2023 is **rejected.**

Sd/-

**(Ramesh Sinha)
Chief Justice**