



2026:CGHC:26630

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 940 of 2026

Rupesh Markam S/o Shri Vijay Markam, Aged About 30 Years Caste Gond,
R/o Village Ward No. 16, Malal Dabri, Post Murdogari, Tahsil Kanker, District-
North Baster Kanker (C.G.)

... Applicant (s)

versus

The State Of Chhattisgarh Through The Station House Officer, Police Station
Kanker, District- North Baster Kanker (C.G.)

... Non-Applicant

For Applicant	: Mr. Shreyansh Pathak, Advocate.
For Non-Applicant	: Miss Palak Dwivedi, PL.

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

30/06/2026

1. This **first anticipatory bail** application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.188/2026 registered at Police Station – Kanker, District- North Baster Kanker (C.G.) for the offence punishable under Sections 69 and 89 of Bharatiya Nyaya Sanhita (for short 'BNS').
2. The prosecution story, in brief, is that the victim, aged about 30

years, lodged a written complaint at Police Station Kanker on 05.06.2026 alleging that she had been acquainted with the applicant for several years. The applicant allegedly developed a relationship with her and established physical relations with her on the promise of marriage. It is further alleged that she became pregnant due to the relationship, but the applicant subsequently refused to marry her. On the basis of the complaint, FIR bearing Crime No. 188/2026 was registered at Police Station Kanker under Sections 69 and 89 of the Bharatiya Nyaya Sanhita, 2023, and investigation was commenced. Hence, the bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is a young boy aged about 30 years and he is doing job in the Forest Department. The applicant and the victim are in relationship including physical relationship since 2018. The victim is a major lady, aged about 30 years and there was delay in lodging the FIR, therefore the applicant be released on bail.
4. On the other hand, learned State counsel, opposes the prayer for grant of anticipatory bail to the applicant and submits that the charge-sheet has been filed. She further submits that the applicant allegedly established physical relations with the victim on the false promise of marriage, as a result of which she became pregnant, and refused to marry her. Therefore, the applicant is not entitled for bail.

5. I have heard learned counsel for the parties and perused all of the documents taken on record.
6. Considering the facts and circumstances of the case, and the fact that the applicant and the victim were in consensual relationship since 2018, on account of which they established physical relationship, wherein victim was the consenting party and when their relationship could not be materialized, victim has lodged the FIR to harass the applicant, as such, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Rupesh Markam**, on executing **a personal bond** with **one surety** in the like sum to the satisfaction of the Arresting Officer, he shall be released on bail on the following conditions:-
 - (a) He should 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.
 - (b) He should not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) he should appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) The Applicant and the sureties shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
 - (e) He should not involve himself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE