



CGHC010238912026



2026:CGHC:29190

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 942 of 2026

Shailendra Diwakar S/o Vyas Narayan Aged About 32 Years R/o Hardi Bazar, Police Station Hardi, District Korba (C.G.) Office Address- Office Of Tehsildar Latori, Police Station Jainagar, District Surajpur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Police Station Ganj, Raipur Commissionerate, District Raipur (C.G.)

... Non-Applicant

For Applicant	:	Shri Manoj Paranjpe, Sr. Advocate with Shri Arpan Verma, Advocate.
For Non-Applicant	:	Shri SS Baghel, GA.
For Objector	:	Shri S.I.Ali, Advocate.

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

10/07/2026

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.148/2026 registered at Police Station – Ganj, Raipur

KRISHNA KUMAR BARVE	Digitally signed by KRISHNA KUMAR BARVE Date: 2026.07.13 12:22:12 +0530
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Commissionerate, District Raipur (C.G.) for the offence punishable under Section 69 of Bharatiya Nyaya Sanhita (for short 'BNS').

2. The prosecution story, in brief, is that victim, aged about 32 years, lodged an FIR on 26.5.2026 stating that the applicant has committed sexual intercourse with her on the pretext of marriage. It is alleged that the applicant connected with the victim in 2022-23 through social media. In the year 2024, the applicant had taken the victim to Down Town Hotel near Railway Station and on the pretext of marriage committed sexual intercourse and thereafter refused to marry her. Thereafter the FIR was lodged. Hence, the bail application.
3. Learned Senior 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 came in contact with the victim in the year 2023 through social media and since then they were having good relations and in-fact earlier both were intended to marry, since the applicant belongs 'Satnami' caste (SC category) and the victim belongs to the OBC category, family members of the victim were not ready for the said relationship and the issue of caste was raised. When the relations between the applicant and victim could not be materialized, the present report has been lodged. Apart from that, in her statement recorded under Section 183 of the BNSS, the victim has clearly stated that she was in relationship with the

present applicant and she accompanied the applicant to the hotel where they stayed for 2 days and during that applicant has committed sexual intercourse with the victim. After one month, the applicant again took the victim to the said hotel and committed sexual intercourse with her. From the conduct of the victim, it appears that she was a consenting party. Therefore the applicant may be released on bail.

4. On the other hand, learned State counsel and the learned counsel for the Objector opposes the prayer for grant of anticipatory bail to the applicant. Counsel for the Objector submits that today the victim has lodged another FIR against the applicant.
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 allegations levelled against the applicant and the fact that the applicant and the victim were in relationship from 2022-23, further considering the statement of the victim recorded under Section 183 of the BNSS, 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 – **Shailendra Diwakar**, 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

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