



CGHC010326292026



2026:CGHC:38152

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1402 of 2026

Puna Kurre S/o Shri Khamhari Kurre Aged About 37 Years R/o Ward
No. 08, Bade Padarmuda, District : Sakti, Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Police Station Malkharoda, District :
Sakti, Chhattisgarh

... Non-Applicant

For Applicant : Shri Leekesh Kumar, Advocate.

For Non-Applicant : Shri Shubham Bajpai, PL.

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

25/08/2026

- 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.286/2026 registered at Police Station – Malkharoda,
District – Sakti (C.G.) for the offence punishable under Sections
64 (2)(M) and 87of Bharatiya Nyaya Sanhita (for short 'BNS').

KRISHNA KUMAR BARVE	Digitally signed by KRISHNA KUMAR BARVE Date: 2026.08.26 15:04:07 +0530
---------------------------	---

2. The prosecution story, in brief, is that the victim has lodged a complaint alleging that the applicant and victim being residents of the same village, were known to each other and remained in contact over mobile phone. It is alleged that in April 2026, when the victim was alone at her house, the applicant came there, expressed his love for her, promised to marry her, and thereafter established physical relations with her against her will. It is further alleged that he continued to have physical relations with her on subsequent occasions on the pretext of marriage. On 22.06.2026, the applicant allegedly took the prosecutrix to Jammu on the promise of marriage, where they continued to reside together and maintained physical relations. On her repeated insistence to marry, he brought her back on 02.07.2026, assuring her that they would marry at home, but allegedly abandoned her at about 10:00 PM and fled. Thereafter, the victim informed her parents and narrated the incident to her family, following which, on the basis of her complaint, Crime No.286/2026 was registered at Police Station Malkharoda, District Sakti (C.G.), for the alleged offences punishable under Sections 64(2)(m) and 87 of the BNS. 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 prior to the alleged incident, a boy from the complainant's family allegedly molested the daughter of the applicant's elder brother. This incident led to a significant dispute

and even a physical altercation between the two families. Due to this earlier incident, there has been ongoing tension and animosity between the two families. The applicant, Puna Kurre, has been deliberately named and falsely implicated in the present case solely out of this pre-existing familial enmity and a desire for revenge. The veracity of the allegations against the applicant must be critically examined in light of independent evidence, eyewitness testimony, crime scene evidence, and particularly documents and complaints related to the prior family dispute, which reveal the true motive behind the FIR. Even if the prosecution case is taken at its face value, the victim allegedly remained in contact with the applicant and continued to meet him on several occasions without informing her family members. The victim is alleged to have accompanied the applicant to Jammu on 22.06.2026 and remained with him for several days, but there is no allegation that she made any attempt to seek help or inform any person during the said period. Moreover, there is delay in lodging the FIR. Therefore the applicant may 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 in her statement recorded under Section 183 of the BNSS, the victim has stated that on 22.6.2026, when nobody was present in her house, the applicant came to her house and assured her that he would marry her and on the pretext of marriage developed physical relations with her. Thereafter the victim accompanied the

present applicant to Kharsiya on his motorcycle. On 30.6.2026, they boarded a train for Jammu, where the applicant arranged rented accommodation for the victim and thereafter developed physical relations with her. When the victim insisted for marriage, the applicant said that after returning to home, he would marry. On 2.7.2026, the applicant and victim returned to Sakti and the applicant left the victim at Sakti Railway Station and fled away. Thereafter she informed to her father.

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 for a substantial period, 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, 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 – **Puna Kurre**, 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

Barve