CGHC010384382026 2026:CGHC:45124

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9334 of 2026

Mohammad Vaseem S/o Barkat Mohammad Aged About 42 Years R/o Jogideepa, Police Station Kotwali, District Raigarh Chhattisgarh

... Applicant

Versus

State Of Chhattisgarh Through S H O Police Station Mahila Thana, District Raigarh Chhattisgarh

... Respondent(s)

For Applicant	:	Mr. Anil Kumar Gulati, Advocate
For Non-Applicant	:	Ms. Priya Sharma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 52 of 2026 registered at Police Station: Mahila Thana, District: Raigarh (C.G.) for the offence punishable under Sections 85, 351 (3), 152, 197 of BNS and Section 4 of Chhattisgarh Dharm Swatantra Adhiniyam.

2. That, as per the prosecution case, the victim alleged that she became

acquainted with the present applicant while working at a cloth shop in New Market in the year 2017–2018. It is alleged that the applicant expressed his intention to marry her and, despite her initial refusal on account of their different religions, threatened to commit suicide. Thereafter, in the year 2021, the applicant allegedly took her to Bilaspur, where she was converted to Islam and their Nikah was solemnized. They thereafter lived together as husband and wife and have two children. The prosecution further alleges that the applicant subjected the victim to physical and sexual abuse, threatened and assaulted her, and, on 16.05.2026, allegedly compelled her and their children to raise objectionable slogans concerning India and Pakistan. It is further alleged that the applicant was involved in gambling and dealing in marijuana. On the basis of the written complaint lodged by the complainant, Crime No. 52/2026 was registered at Mahila Police Station for the aforementioned offences. A copy of the FIR is being filed herewith.

3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the crime. The applicant has 21 criminal antecedents under the IPC, Excise Act, Gambling Act, and BNS, out of which 18 cases have already been disposed of and only 3 cases are pending. He further submits that the wife of the applicant has been examined and has not supported the prosecution's case. The applicant has been in jail since 09.07.2026. Therefore, the applicant may be released on bail.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that the applicant has 21 criminal antecedents under the IPC, Excise Act, Gambling Act,

and BNS, out of which 18 cases have already been disposed of and only 3 cases are pending. The charge sheet has been submitted against the applicant. Therefore, the bail application may be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Having considered the fact that the applicant deliberately uttered words that endanger the sovereignty and unity of India, the serious allegations of unnatural sexual assault, and the criminal antecedents of the applicant, which total 21 in number, and further considering that, although the wife of the applicant has been examined, the applicant has 21 criminal antecedents and three criminal cases are still pending consideration before different criminal courts, I am not inclined to allow this bail application.

7. Accordingly, the bail application is rejected.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Saurabh