CGHC010418812026 2026:CGHC:45610

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1783 of 2026

Dwarika Vishwakarma S/o Premsingh Vishwakarma Aged About 36 Years R/o Village Kamthi, Police Station Kukdur, Tahsil- Pandariya, District - Kabirdham (C.G.)

... Applicant (s)

versus

State Of Chhattisgarh Through - District Magistrate, Kawardha, District - Kabirdham (C.G.)

... Respondent(s))

For Applicant	:	Mr. Chandrikaditya Pandey, Advocate
For State	:	Mr. Afroj Khan, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

28/10/2026

1. Applicant has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.48 of 2026 registered at Police Station- Mahila Thana, Kawardha, District- Kabirdham (CG) for offence punishable under Sections 69, 351 (3) of the BNS.

Digitally signed by PRAVEEN KUMAR SINHA
Date: 2026.10.29 14:54:43 +0530

2. Case of the prosecution in brief is that on 02.10.2026, the prosecutrix lodged a written complaint at Mahila Thana, Kawardha, District Kabirdham (C.G.), alleging that she came into contact with the applicant during the October–November 2024 election campaign of District Panchayat candidate Deepa Dhurve, wherein the applicant was the overall election manager. It is alleged that the applicant subsequently proposed marriage to her and, on the false promise of marriage, established physical relations with her for the first time in November 2024 at Ranidahra, Kawardha. Thereafter, he allegedly continued to establish physical relations with her at various hotels and lodges, including Hotel The Royal Palace, Raipur, and Gokul Hotel, Pandariya, where the last alleged incident occurred on 10.09.2026. The prosecutrix further alleged that on 23.09.2026, she came to know that the applicant was already married and confronted him, whereupon he threatened to kill her if she disclosed the matter to anyone. On the basis of her complaint, Mahila Thana, Kawardha, registered FIR bearing Crime No. 48/2026 against the applicant for offences punishable under Sections 69 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and commenced investigation.

3. Learned counsel for the applicant submits that the applicant is innocent. Absolutely false and baseless allegations have been levelled against the applicant. Victim is a major lady of 36 years of age and according to first incident, victim was accompanying

with her friend and as per allegation, applicant has committed sexual intercourse with her in Bolero vehicle after sending driver and friend of victim away, which appears to be unbelievable more so in presence of friend of complainant. Thereafter applicant and victim made physical relations on many occasions without any resistance and objection which shows that complainant was a consenting party.

4. On the other hand, learned counsel for the State opposes the submission of learned counsel for the applicant and submits that complainant has surrendered to the applicant herself on the pretext of marriage.

5. I have heard learned counsel for the parties and perused the documents available on record.

6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, nature of allegation, there is no other criminal antecedent of applicant, without commenting anything on merit of the case, I am inclined to allow the present application.

7. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the aforesaid crime, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of

the concerned arresting officer. Applicant shall also abide by the following conditions :-

> “(i) that the applicant shall remain available for interrogation before the Investigating Officer as and when required;
>
> (ii) the applicant shall 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 facts to the Court or to any police officer.”

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen