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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1809 of 2026

- Prabhat Tirkey Son Of Late Prafful Tirkey Aged About 40 Years Residence Of Ambikapur (Bisunpur) Beside Power House, District Surajpur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Police Station Astha, Distt. Jashpur (C.G.)

... Respondent

For Applicant	:	Mr. Ekansh Diwakar, Advocate
For Respondent-State	:	Dr. Surendra Dewangan, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

30/10/2026

1. Applicant has preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 15/2026 registered at Police Station- Astha, District Jashpur (C.G.) for the offence punishable under Sections 366, 376(2)(n) of IPC and Section 69 of Bhartiya Nyaya Samhita, 2023.

2. Case of prosecution, in brief, is that victim/ prosecutrix lodged a report in the concerned police station in the month of September 2026 stating that applicant on the pretext of marriage has committed sexual intercourse with her in the year 2022. On the basis of the report, aforementioned crime was registered.

3. Learned counsel for the applicant would submit that applicant has been falsely implicated in the crime, he has not committed such offence as alleged against him. He contended that the victim on the alleged date of

incident was a major girl aged about 21 years. The alleged incident is of the year 2022 and the F.I.R. is registered in the year 2026 ie., 22.09.2026, from which it prima facie appears that false allegation has been levelled. There is no criminal antecedent against applicant, hence, he may be granted anticipatory bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicant and would submit that there is specific allegation against applicant that applicant called the victim at his friend's home and thereafter in the night has committed sexual intercourse with her in another room, on the pretext of marriage.

5. I have heard learned counsel for the respective parties and also perused the documents enclosed along with bail application.

6. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, and further considering the date of incident and date of lodging of F.I.R., without commenting anything on merits, I am inclined to allow this anticipatory bail application.

7. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the crime in question (15/2026), he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of ₹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 make himself available for interrogation before the Investigation Officer as and when required;

(ii) that 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/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)
JUDGE

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