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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 644 of 2026

Ajay Ravi S/o Hirasai Aged About 28 Years (Wrongly Mentioned As Apay Ravi), R/o Chandrareli, Police Station- Pratappur, District Surajpur C.G.

...Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-Shankargarh, District Balrampur-Ramanujganj C.G.

... Non-applicant

For Applicant : Mr. Jitendra Kumar Saxena, Advocate.

For Non-Applicant/State : Mr. Shaleen Singh Baghel, G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

19.01.2026

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. 149/2025 registered at Police Station : Shankargarh District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 69 of the BNS, 2023.

2. The case of the prosecution, in brief, is that on 28.10.2025, the



prosecutrix lodged written report at Police Station, Shankargarh to the effect that her maternal uncle has proposed the marriage of prosecutrix to be performed with the applicant. On 03.11.2024 the applicant came in the house of prosecutrix and stayed in her house and on 05.11.20224 the applicant committed sexual intercourse with her and thereafter on several times the applicant has committed sexual intercourse with her, due to which, she become pregnant and after carrying pregnancy, the applicant has refused to perform marriage with the prosecutrix and left her house. Thereafter the applicant has performed marriage with other lady. On the basis of said report, the offence U/s 69 of BNS has been registered against the applicant.

3. It is respectfully submitted that the applicant is innocent and has been falsely implicated in the present case. The prosecutrix is a major woman and, considering her conduct as well as the material collected by the prosecution, it is evident that she was a willing and consenting party, therefore no offence is made out against the applicant. It is further submitted that the FIR has been lodged after an inordinate and unexplained delay. The charge-sheet has already been filed and the trial is likely to take a considerable time for its conclusion. The applicant is in judicial custody since 29.10.2025, Hence, the applicant deserves to be released on bail.
4. On the other hand learned State counsel State opposed the bail application of the present applicant and submits that the present applicant on the pretext of marriage established physical relationship with the victim, therefore, he is not entitled for grant of regular bail.



5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of the allegations levelled against the applicant, and the fact that the victim, being a major aged about 24 years, was in a consensual relationship with the applicant during which a sexual relationship was established and thereafter, the relationship could not materialize, consequently leading to the lodging of the present FIR, and further taking into account that the applicant has been in custody since 29.10.2025 and that the trial is likely to take some time to conclude, this Court is of the opinion that the applicant is entitled to be released on bail in the present case.
7. Let applicant, **Ajay Ravi**, involved in Crime No. 149/2025 registered at Police Station : Shankargarh District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 69 of the BNS, 2023, be released on bail on his furnishing **a personal bond with two local sureties** in the like amount to the satisfaction of the court concerned with the following conditions:-
- (i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.
 - (ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.
 - (iii) In case, the applicant misuses the liberty of bail



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during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice