



2026:CGHC:3918



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No.127 of 2026

- Amrit Tirkey S/o Uchit Tirkey Aged About 34 Years Caste Oraon, Residence Of Village Ichkela, Police Station Jashpur, District Jashpur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Kunkuri, District Jashpur (C.G.)

... Respondent

(Cause title is taken from Case Information System)

 For Applicant : Mr. C. Jayant K. Rao, Advocate

 For Respondent/State : Mr. Shubham Bajpai, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

22/01/2026

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.08/2026 registered at Police Station – Kunkuri, District–Jashpur (C.G.) for the offence punishable under Sections 376 (2)(n), 366, 420 of the Indian Penal Code (IPC).
2. As per prosecution story in brief is that the applicant while posting at Kunkuri Police Station as Constable, while discharging the duties of patrolling met with the prosecutrix.



That the prosecutrix is a widow lady and her husband was expired in the year 2015, as the applicant continuously visit the prosecutrix love relationship has been developed between them and the applicant also promise to marry her. That on 09.03.2021, at about 8.00 PM night, the applicant committed forcefully intercourse and thereafter continuous relationship has been developed between them. Thereafter, the applicant also convinced the prosecutrix to transfer her land in the name of applicant and also tool Rs.1 lakh from the prosecutrix. That on the basis of the above, the aforesaid offences have been registered against the applicant.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is submitted by learned counsel for the applicant that the prosecutrix is a widow lady and her husband was expired in the year 2015, as the applicant continuously visit the prosecutrix love relationship has been developed between them and she was a consenting party.. Hr further submits that there is a delay in lodging FIR against the applicant. Therefore, he prays for grant of anticipatory bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application and submits that on the pretext of marriage applicant made physical relation with the prosecutrix, therefore he is not entitled for grant of anticipatory bail in this case.
5. I have heard learned counsel for the parties and perused the



materials available on record.

6. Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicant, and from the perusal of the case diary it transpires that present applicant and the prosecutrix were in a relationship and she was a consenting party, at this stage without expressing any opinion on merits, this Court is of the view that the applicant is entitled to be granted anticipatory bail in this case.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant **Amrit Tirkey**, 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) 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 fact to the Court.
 - (b) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) 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.
 - (d) The Applicant and the surety 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) The Applicant shall not involve himself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
Chief Justice

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