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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2026 of 2026**

- Vijay Pratap Singh S/o Inderjit Singh Aged About 45 Years R/o Village Putadand Police Station and Tehsil Manendragarh, Distt M C B (Chhattisgarh)

... Applicant(s)**versus**

- State of Chhattisgarh Through Thana In Charge, Police Station Manendragarh, Distt M C B (Chhattisgarh)

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Parag Kotecha, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****19/03/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.211/2025, registered at Police Station-Manendragarh (M.C.B) (C.G.) for the offence punishable under Sections 64, 351(2) of Bhartiya Nyay Sanhita, 2023.
2. According to the case of the prosecution, the brief facts of the matter are that it was an allegation, against the accused, that he called the victim and thereafter forcefully committed, sexual intercourse with



her. Hence, an offence under aforesaid Section have been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case. He would submit that the victim's brother in law was involved in criminal case and the son of the present applicant was the witness against the brother in law, in a criminal case and he was convicted by the trial Court passed by judgment dated 16.10.2015. Copy of the same is annexed here alongwith covering memo. He further submits that very recently he came out of jail, and thereafter the victim and her family member wants to take revenge and had involved the applicant in a false criminal case. He also submits that as per the medical report of the victim no internal and external injuries have been found on the body of the injured. Further, charge sheet has been filed in this case, the applicant is in jail since 07/12/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and submits that charge sheet has been filed in this case and the FSL report of the victim was found to be positive. However, the victim is a married woman, therefore, it cannot be conclusively inferred that the applicant committed rape, particularly in the absence of any injuries on the victim's body.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, further the fact that as per the medical report of the victim no internal and external injuries



have been found on the body of the injured, charge sheet has been filed and also considering the fact that applicant is in jail since 07.12.2025 and trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Vijay Pratap Singh** involved in Crime No.211/2025, registered at Police Station- Manendragarh (M.C.B) (C.G.) for the offence punishable under Sections 64, 351(2) of Bhartiya Nyay Sanhita, 2023, be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum 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 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



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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 for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

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