



2026:CGHC:13022



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 335 of 2026**

Chhabi Chand Sahu S/o Surendra Kumar Sahu Aged About 32 Years (Wrongly Mentioned As Chhabichand Sahu), (Aadhar No. - 4554 4051 3574), Occupation- Sub-Engineer, Public Welfare Department, District- Balrampur-Ramanujganj (C.G.), R/o Village- Mauhapali, Post - Aurda, Tahsil- Pusour, District- Raigarh (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The District Magistrate, District - Balrampur-Ramanujganj (C.G.) (Concerned Police Chowki - Wadrafnagar, Police Station- Basantpur)

... Respondent

For Applicant	:	Mr. Hari Agrawal, Advocate.
For Non-applicant/State	:	Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****18.03.2026**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.14/2026 registered at Police Station – Police Chowki - Wadrafnagar, Police



Station - Basantpur (C.G.) for the offences punishable under Section 69 of the BNS.

- 2.** The prosecution case, in brief, is that the prosecutrix, aged about 32 years, lodged a written complaint at Police Chowki Wadrafnagar alleging that she had been in a love relationship with the present applicant for the past three to four years, during which the applicant persistently pressurized her to establish physical relations, to which she initially resisted stating that such relations would only take place after marriage; however, it is alleged that the applicant established physical relations with her on multiple occasions on the pretext of marriage and continued to assure her that he would marry her, thereby gaining her trust and leading her to believe that she was his wife; it is further alleged that on 29.12.2025 at about 6:30 PM, the applicant performed certain marriage rituals with the prosecutrix, including taking seven rounds of fire and applying vermilion on her forehead, but thereafter, under pressure from his family members, he refused to accept her and is now attempting to marry another woman; on the basis of these allegations, the police registered the instant crime against the applicant for the aforesaid offences.
- 3.** Learned counsel for the applicant submits that the essential ingredients of the alleged offences have not been made out against the applicant and he has been falsely implicated in the present case; it is submitted that the applicant, who is suffering from 80% permanent disability in his right leg, was appointed as a Sub-Engineer in the PWD Department vide order dated 19.08.2016 and is presently posted in District Balrampur-Ramanujganj (C.G.), and the prosecutrix, being an adult,



educated and matured woman aged about 32 years, was working as a daily wage operator in the same office, due to which they came into contact, and it was the prosecutrix who proposed marriage to the applicant, however, due to difference in caste, the applicant's family members refused to accept the proposal; it is further submitted that despite this, the prosecutrix continued to pressurize and harass the applicant to marry her, which compelled the applicant to lodge a written complaint dated 03.01.2026 before the police authorities, and the present FIR has been lodged as a counterblast to the said complaint; it is also contended that even if the entire prosecution case is taken at its face value, the prosecutrix was fully aware of the circumstances, including caste differences, and the relationship, if any, was purely consensual between two adults without any deceit or false promise of marriage; it is further submitted that there is an inordinate delay in lodging the FIR, and the allegations are vague and motivated; learned counsel has also placed reliance on the judgments of the Hon'ble Supreme Court in *Pramod Suryabhan Pawar vs. State of Maharashtra* (2019) 9 SCC 608, *Maheshwar Tigga vs. State of Jharkhand* (2020) 10 SCC 108, and *Shambhu Kharwar vs. State of Uttar Pradesh* (2022 SCC OnLine SC 1032), to contend that in similar circumstances, the relationship has been held to be consensual and not amounting to an offence; it is further submitted that the applicant is a government servant with no criminal antecedents, having deep roots in society, and there is no likelihood of his absconding or tampering with evidence, and custodial interrogation is not required, therefore, the applicant is entitled to grant of anticipatory bail, and he undertakes to abide by all terms and conditions as may be imposed by this Hon'ble Court.



4. On the other hand, the learned State Counsel appearing for the non-applicant/State, and submits that the applicant, on the pretext of marriage, had sexual relations with the victim, therefore, he is not entitled to the grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case and the nature of the allegations levelled against the applicant, it appears that the victim, being a major, and the present applicant were working in the same office and were in a consensual relationship, during which a physical relationship was established, thereafter, when the relationship could not culminate into marriage, the present FIR came to be lodged by the victim on the allegation that the applicant refused to marry her, therefore, without expressing any opinion on the merits of the case, this Court is inclined to grant anticipatory bail to the present applicant.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Chhabi Chand Sahu**, on executing a personal bond and one local surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-
 - (a) he 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) he shall not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) he 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 his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) he shall not involve himself in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE