



2026:CGHC:17249

2026:CGHC:17249
NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 365 of 2026**

Mohd. Surfaraj S/o Marhum Mohd. Riyaz Khan Aged About 29 Years R/o-
Near Muslim Hall, Rda Colony, Raipur, District- Raipur (C.G.) **...Applicant**

versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Civil
Lines, District Raipur (C.G.) **...Non-applicant**

For Applicant	: Mr. Sachin Nidhi along with MD. Zakir Anam Shah, Advocate.
For Non-Applciant/State	: Mr. Sourabh Sahu Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****15.04.2026**

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. 418/2025 registered at Police Station – Civil Lines, District - Raipur (C.G.) for the offences punishable under Section 69 of the BNS.
2. The prosecution case in brief is that, the prosecutrix and present applicant came into contact through the Instagram in the year 2021 and from that point time, friendly relationship has been developed between both of them. After that, in the year 2024 the prosecutrix has



started work at Flora Spa Center, where the present applicant has committed sexual intercourse with the prosecutrix on 19.09.2024 on the pretext of marriage, but the present applicant has denied for the marriage with the prosecutrix, even after the repeated request made by the prosecutrix. On the basis of the aforesaid story of the prosecution Offence U/s 69 of B.N.S. in crime no.418/2025 at Police Station-Civil Lines (C (CG) has been registered against the present applicant.

3. The applicant submits that he is innocent and has been falsely implicated in the present case. He further submits the learned trial court failed to appreciate that prior intimation dated 28.07.2025 had already been submitted by the applicant before the higher police authorities, apprehending that a false case may be lodged against him by the prosecutrix, and a copy of the said intimation has been annexed as Annexure A/2. It is further submitted that the prosecutrix is a major and a consenting party, which has not been duly considered by the trial court. The FIR has been registered solely on the basis of a false complaint made by the prosecutrix without proper verification. Even if the entire prosecution story is taken at its face value, no offence is made out against the applicant, particularly in view of the unexplained delay of approximately one year in lodging the FIR. The circumstances clearly indicate that false allegations have been levelled only to mentally harass the applicant. It is also pertinent that the prosecutrix had earlier pressured the applicant to marry her, and upon his refusal, she threatened to falsely implicate him in a criminal case, which fact was duly intimated to the authorities in advance. The applicant reserves the right to raise additional grounds and place



further documents at the time of arguments. The applicant is a permanent resident of the address mentioned in the cause title, and there is no likelihood of his absconding or tampering with the prosecution evidence. He is ready to furnish adequate security and undertakes to abide by all the conditions that may be imposed by this Hon'ble Court while granting bail.

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 known to each other and were in a consensual relationship, during which a physical relationship was established. Thereafter, when the relationship could not culminate in marriage, the present FIR came to be lodged by the victim on the allegation that the applicant refused to marry her. Therefore, without making any further comments 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 – **Mohd. Surfaraj**, on executing a personal bond and one surety in the like sum to the satisfaction of the



2026:CGHC:17249

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