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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2476 of 2026**

Gopi Shriwas S/o Parsuram Shriwas Aged About 27 Years R/o Near Hanuman Mandir, Tumdibod, Police Station Tumdibod, District- Rajnandgaon (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through Station House Officer Police Station City Kotwali, District – Rajnandgaon (C.G.)

... Non-applicant

For Applicant	: Mr. Navin Shukla, Advocate.
For Non-applicant/State	: Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice
Order on Board

17.03.2026

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 70/2026, registered at Police Station City Kotwali, District – Rajnandgaon (C.G.) for the offence punishable under Section 296, 351(2), 64(2)(m) and 69 of the BNS.
2. The prosecution story, in brief, is that 23.01.2026 the victim made a written complaint before the police Station Rajnandgaon Kotwali, District Rajnandgaon (C.G.), whereby the victim has stated before the concern police station that since 07 months from June 2025 to 11.11.2025, the applicant at the pretext of marriage have establish multiple sexual intercourse with her and he used to keep her as his wife, despite the fact that he has been previously married and when



confronted by the victim, the applicant has started hurling abuses to her and in her complaint she has stated that the victim got to know that the applicant does Jhad-fook and he also has a Saloon where he does grooming work, and due to which the victim contacted the applicant for the said work as she was seek at that time, after contacting the applicant, she visited the applicant and the applicant took all her details. Subsequently the applicant taking advantage of the fact that victim lives alone, used to come to the victim's house at multiple occasions and establish physical intercourse with her. The applicant at times used to stay the night at the victim's house and he said that he is unmarried, but the victim about 02 months prior to the date of complaint got to know that the applicant has been previously married to some other lady and he has cheated her, thereafter the applicant stated abusing her and started create conflict with her.

3. On 11.11.2025 the applicant's wife namely Neha Yadav came to the victim's house and started fighting with her as well as hurled abuses to her and threatened her that she will commit suicide and falsely implicate her in the case. That the applicant's wife Neha Yadav told the victim to give her Rs. 6 Lacs and take her husband i.e. present applicant. The applicant has cheated the victim and also concealed the fact that he has been previously married, and establish physical intercourse with her. The applicant and his wife have also blackmailed the victim and asked her to come to their house, they also used to call the victim and make her hear the sound of sexual intercourse between them. The victim also alleges that due to this she has been mentally harassed by the applicant and he has ruined her life and outraged her



modesty. The victim also alleges that there is a suspicion where the applicant and her wife has paid some local goons to get behind her and due to which her life and property is at risk. On the basis of the aforesaid information, the offence was registered against the applicant and the applicant was arrested. Hence, this application.

4. 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 that the victim is a major and divorcee lady who is a mother of 3 children, and though the allegation has been levelled against the applicant that he has established physical relations with her on the pretext of marriage, but there is a delay of about 7 months for lodging the FIR and there appears to be a consensual sexual relationship established by both of them but when the relationship could not be materialized, she filed the FIR. It is also submitted that the charge-sheet has been filed in this case. The applicant is in jail since 24.01.2026 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
5. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. It is further submitted that the applicant has committed sexual intercourse many times with the victim on the pretext of marriage, and thereafter, he refused to marry her. Therefore, the applicant is not entitled for grant of regular bail.
6. I have heard learned counsel for the parties and perused the materials



available on record.

7. Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicant and period of detention in jail, further the fact that the victim is a major and divorcee lady who is a mother of 3 children, and though the allegation has been levelled against the applicant that he has established physical relations with her on the pretext of marriage, but there is a delay of about 7 moths for lodging the FIR and there appears to be a consensual sexual relationship established by both of them but when the relationship could not be materialized, she filed the FIR, also the fact that the charge-sheet has been filed in the present case, the applicant is in jail since 24.01.2026 and the conclusion of the trial is likely to take quite long time, hence, this Court is of the view that the applicant is entitled to be released on bail in this case.
8. Let applicant – **Ashutosh Nayak**, involved in Crime No. 70/2026, registered at Police Station City Kotwali, District – Rajnandgaon (C.G.) for the offence punishable under Section 296, 351(2), 64(2)(m) and 69 of the BNS, 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.



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(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 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.

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

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rajshekhar