



2026:CGHC:13181



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2584 of 2026

Samir Tandan S/o Gajadhar Tandan Aged About 20 Years R/o Matiya,
Op, Giraudhpuri District- Balodabazar-Bhatapara, Chhattisgarh.

... Applicant(s)

versus

State Of Chhattisgarh Through- Police Station - Gidhauri (As Per Fir),
District- Balodabazar-Bhatapara, (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Sumit Jhawar, Advocate.

For Respondent(s) : Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

19.03.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 04/2026, registered at Police Station Gidhauri, District- Balodabazar-Bhatapara (CG) for the offence



punishable under Section 69 of BNS.

2. The prosecution story in brief, is that on the complaint of the victim, an FIR was registered wherein it is alleged that on 12.11.2025 at about 10:00 PM, the applicant/accused unlawfully entered her house and threatened her to establish physical relations, and upon refusal, assaulted and forcibly committed rape. It is further alleged that the accused continued to sexually exploit the victim on multiple occasions in December 2025 by extending threats to her and her children, and lastly committed rape on 12.12.2025. Upon disclosure of the incident to her husband, the complaint was lodged, leading to registration of the offence, arrest of the accused on 18.02.2026, and filing of the charge-sheet after completion of investigation. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submit that the applicant was earlier abducted and assaulted by the husband of the victim and others, in respect of which an FIR dated 19.12.2025 was registered in Crime No. 276/2025 under Sections 331(6), 296, 115(2), 40(2), and 3(5) of the BNS and in the said case after being released on bail, the present false and fabricated counter FIR has been lodged against the applicant under Section 69 of the BNS by exerting pressure upon the victim by her husband after one month, a copy of the said counter FIR is



annexed herewith as *Annexure A/3*. The applicant is in jail since 18.02.2026 and the trial is likely to take some time for its conclusion. 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 the charge-sheet has been filed in the present case before the competent Court. She further submits that an earlier FIR had been lodged by the applicant against the husband of the victim on the allegation that the applicant was keeping an evil eye on the victim and, upon objection being raised by her husband, a dispute arose between them, pursuant to which the applicant lodged an FIR against the husband of the victim.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts & circumstances of the case, nature & gravity of the offence, material available in the case diary and the fact that the applicant unlawfully entered into the house of victim and, by extending threats to her and her children, forcibly established physical relations with her against her will, thereby committing rape. Furthermore, applicant repeatedly subjected the victim to sexual assault on multiple occasions by intimidating her with dire consequences, including threats of harm to her children in the absence of her husband, who is employed in the army, the said fact is also corroborated by the statement of victim recorded under Section 183 of BNSS, also considering the fact that FIR has



been lodged after one month of the incident, without expressing any opinion on the merits of the case, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant-**Samir Tandan**, involved in Crime No. 04/2026, registered at Police Station Gidhauri, District- Balodabazar-Bhatapara (CG) for the offence punishable under Section 69 of BNS, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and concluded the trial expeditiously.
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

Akhil