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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 472 of 2026

Sunil Kumar Dhiwar S/o Teras Ram Dhiwar Aged About 37 Years R/o
Dadarkhurd Korba, Tehsil- Korba Dist- Korba (C.G.) **... Applicant**

versus

State Of Chhattisgarh Thana Civil Line Rampur, Korba District- Korba (C.G.)
... Respondent

For Applicant : Ms. Megha Mishra, Advocate.

For Non-Applicant/State : Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

01.04.2026

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.150/2026 registered at Police Station – Thana Civil Line Rampur, Korba District- Korba (C.G.) for the offences punishable under Section 69 of the BNS.
2. The prosecution story, in brief, is that the prosecutrix and the applicant came into contact around eight months prior to the incident and gradually developed a close relationship with each other. It is alleged



that after exchanging mobile numbers, they started talking regularly over phone, meeting frequently at different places and developed physical relations. According to the prosecution, the applicant had established physical relations with the prosecutrix on the promise of marriage. However, on 26.02.2026, the prosecutrix came to know through a marriage card that the applicant was going to marry another woman and had no intention to marry her. Feeling deceived, she approached the police authorities and lodged a report against the applicant alleging that he had sexually exploited her on the false pretext of marriage. On the basis of the said complaint, the police registered an FIR against the applicant for the alleged offence.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated due to a personal dispute with the prosecutrix. It is submitted that the applicant is a poor farmer and labourer and was unable to fulfil the expectations of the prosecutrix. Learned counsel further submits that although the alleged incident is said to have commenced on 04.07.2025, the FIR came to be lodged only on 26.02.2026, which clearly indicates that the allegations are an afterthought. It is contended that the applicant and the prosecutrix had known each other for the last eight months, used to meet frequently, go out together and the prosecutrix had even invited the applicant to her house. It is further submitted that due to family opposition and caste differences, the applicant refused to marry the prosecutrix, whereafter she threatened to falsely implicate him in a criminal case. Learned counsel submits that the applicant never committed any sexual assault or established any physical relationship with the prosecutrix and that no incriminating article or evidence has



been recovered or seized from him. It is also submitted that the applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution witnesses, and he is ready and willing to abide by any terms and conditions that may be imposed by this Hon'ble Court.

4. On the other hand, learned State Counsel appearing for the non-applicant/State opposes the submissions made on behalf of the applicant and submits that the applicant, on the pretext of marriage, established physical relations with the victim, therefore, he is not entitled to be granted 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, the nature of the allegations levelled against the applicant, and the material available on record, including the statement of the prosecutrix recorded under Section 183 of the B.N.S., it appears that the victim, being a major, was acquainted with the applicant and that both were in a consensual relationship during which physical relations were established. Thereafter, as the relationship could not materialize 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, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Sunil Kumar Dhiwar**, on executing a personal bond and one surety in the like sum to the



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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