



2026:CGHC:18761

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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRCA No. 559 of 2026

1 - Rajesh Kumar Khairwar S/o Rathram Khairwar Aged About 27 Years
R/o Village Harethi, District - Sakti (C.G.)

... Applicant(s)

versus

**1 - State Of Chhattisgarh Through Police Station City Kotwali, District-
Bilaspur (C.G.)**

... Respondent(s)

For Applicant	: Mr. P. Chetan Kumar, Advocate
For State	: Ms. Smrita Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.04.2026

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 155/2026 registered at Police Station – City Kotwali, District Bilaspur (C.G.) for the offence punishable under Sections 64(2)(M) & 351(3) of Bharatiya Nayay Sanhita, 2023.
2. That, as per the brief facts of the prosecution case, the applicant and the complainant came into contact with each other in the year 2022 through telephonic communication, and thereafter the applicant used to frequently visit the complainant's house. It is alleged that on 11.08.2025, the applicant took the complainant to



Sharda Hotel, Bilaspur, where he established physical relations with her against her will, and thereafter continued such acts for a period of about four months. On the basis of the said complaint, FIR No. 155/2026 has been registered against the applicant. Hence this application.

3. 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 there was a consensual relation between the applicant and the victim who is a major girl and an FIR has been lodged against the applicant on account of that the applicant refused to marry her and established relationship on the pretext of marriage and further, they were in known to each other since 2022 and the FIR was lodged after in the year of 2026. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application. It is further submitted that the applicant committed sexual intercourse with the victim on the pretext of marriage. Hence, the applicant is not entitled for grant of regular bail.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, nature and gravity of allegation made against the applicant and the fact that there was a consensual relation between the applicant and the



victim who is a major girl and an FIR has been lodged against the applicant on account of that the applicant refused to marry her and established relationship on the pretext of marriage hence, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Rajesh Kumar Khairwar** on executing a personal bond with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

- (a) The Applicant 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) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.
- (c) The Applicant 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 their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
- (e) The Applicant shall not involve himself in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE