



2026:CGHC:17278



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 550 of 2026

Upendra Vatti S/o Dauram Vatti Aged About 35 Years R/o Surhi Thana,
Narharpur, Kanker, District Kaker (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The S.H.O., Police Station- Charama,
District- Kanker C.G.

... Respondent

For Applicant	: Shri Sandeep Shrivastava & Shri Rakesh Kumar Manikpuri, Advocates.
For Respondent/State	: Shri Shubham Bajpai, PL.

Hon'ble Shri 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.35/2026 registered at Police Station – Charama, District- Kanker C.G. for the offence punishable under Section 69 of the B.N.S.



2. Facts of the case are that the present case arises out of Crime No. 35/2026 registered at Police Station Charama, District Kanker (C.G.). The factual matrix of the case is that the prosecutrix had earlier lodged a written complaint against the present applicant on 27.03.2022 at the same police station, alleging therein that she had been acquainted with the applicant since the year 2018 and had developed a romantic relationship with him. It was further alleged that the applicant, on the pretext of marriage, established physical relations with her against her will, pursuant to which Crime No. 59/2022 was registered against the applicant under Sections 376, 376(2)(d), and 450 of the IPC. While this matter was pending adjudication in court below the present applicant was granted bail by this Court in MCRC No. 3842/2022 dated 12/05/2022. Upon completion of investigation in the aforesaid Crime No. 59/2022, a charge-sheet was filed and the matter was put to trial before the Court of the Learned First Additional Sessions Judge, Fast Track Court, Kanker. After full-fledged trial and appreciation of evidence, the Learned Trial Court acquitted the present applicant vide judgment dated 27.12.2025. Subsequent to the acquittal of the applicant, the prosecutrix again lodged a fresh F.I.R. on 21.02.2026 at Police Station Charama, alleging that during the pendency of the earlier trial, on 23.09.2025, the applicant approached her and expressed willingness to marry her and to start a new life together. It is alleged that on such assurance, the applicant again established physical relations with her, as a result of which she became pregnant.
3. Learned counsel for the applicant submitted that two FIR were lodged by the victim for the same offence, in one of the offence the applicant has been acquitted. It is argued that the relationship between the



parties was consensual and does not constitute any offence. He would further submit that the applicant is a permanent resident of address mentioned in the cause title and there is no likelihood of absconding, the applicant undertakes to abide by any conditions imposed by this Court, therefore, he submits that the present applicant is entitled for grant of anticipatory bail.

4. On the other hand, learned State counsel, appearing for the non - applicant/State opposes the prayer for grant of anticipatory bail. He would submit that the incident which has been complained of the present case is of a subsequent date.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts & circumstances of the case, submission of learned counsel for the parties, materials available on record, also perused the statement of the victim who is a minor girl under Section 183 BNSS, considering the fact that earlier also FIR was lodged by the victim for the same offence and in that case, the applicant has been acquitted, also considering the fact that the applicant and the victim established consensual relationship and when the relationship could not materialize, present FIR has been lodged, considering the fact, I am 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 –**Upendra Vatti**, on executing a personal bond and 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 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) The applicant shall not involve himself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
Chief Justice