



2026:CGHC:18209



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 548 of 2026

Shiv Kumar Kurrey S/o. Late Anand Ram Kurrey Aged About 25 Years
R/o. Ameradih P.S. And Tahsil Malkharauda, Distt.- Sakti (C.G.) (As Per
Correct Details)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, P.S.
Malkharauda, District- Sakti (C.G.)

... Respondent

For Applicant	: Shri Sachin Nidhi, Advocate (through VC) & Shri Vikas Upadhyay, Advocate.
For	: Smt. Smriti Shrivastava, PL.
Respondent/State	

Hon'ble Shri Ramesh Sinha, Chief Justice

Order On Board

21/04/2026

- The applicant has preferred this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of anticipatory bail, apprehending his arrest in connection with Crime No.107/2026, registered at Police Station Malkharauda



District Sakti (C.G.) for alleged commission of offence punishable under Sections 296, 333, 351(3), 64(1) of Bhartiya Nyay Sanhita 2023.

2. Case of the prosecution, in brief, is that an FIR bearing Crime No. 107/2026 has been registered at Police Station Malkharauda against the present applicant/accused under Sections 64(1), 296, 351(3) and 331(4) of the BNS on the basis of a written complaint lodged by the victim. It is alleged that the victim, whose husband was away from home due to his work as a driver, was residing alone at her house. The accused, who is a resident of the same village, had allegedly been pressurizing the victim for about one month to establish physical relations with him. It is further alleged that on 17.11.2025 at about 10:30 PM, the accused entered the house of the victim and forcibly established physical relations with her. Thereafter, on 18.03.2026 at about 10:00 AM, the accused allegedly came near her house, abused her in filthy language and extended threats to kill her as well as her husband. On the basis of these allegations, the aforesaid crime has been registered and the investigation is presently underway. Hence this bail application.
3. It has been argued by learned counsel for the applicant that the victim is a married lady and the applicant and the victim were known to each other and were on talking terms which was disliked by her husband for which the husband of the victim has made a complaint against the applicant. It is further submitted that the



applicant has been falsely implicated in the present case as the husband of the victim did not like that the applicant and the victim should be on talking terms. It is further submitted 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 benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail and submitted that as per the statement recorded under Section 183 BNSS of the victim it goes to show that the applicant had established physical relationship with the victim in the absence of her husband by coercing and threatening dire consequences of her child aged about three years and further threatened her to make the video viral and she thereafter on 18/03/2026 has reported the incident to her husband and lodged the FIR. She would further submit that considering the nature of allegation against the applicant, he is not entitled for benefit of anticipatory bail.
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, perused the statement of the victim under Section 183 BNSS and



as per her statement, it goes to show that the applicant had established physical relationship with her in absence of her husband by coercing and threatening dire consequences of her child aged about three years and further threatened her to make the video viral and she thereafter on 18/03/2026 has reported the incident to her husband and FIR was lodged, considering the nature & gravity of the offence and the manner in which it was committed, this Court does not find it to be a fit case to grant anticipatory bail to the present applicant.

7. Accordingly, the anticipatory bail application of the applicant - **Shiv Kumar Kurrey**, involved in Crime No.107/2026, registered at Police Station Malkharauda, District Sakti (C.G.) for alleged commission of offence punishable under Sections 296, 333, 351(3), 64(1) of Bhartiya Nyay Sanhita, 2023 is **rejected**.

Sd/-

(Ramesh Sinha)
Chief Justice