



2026:CGHC:18686



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3671 of 2026

Narendra Mahawar S/o Natholi Ram Mahawar Aged About 21 Years R/o Ward No. 01 Chandmari Bhawani School Ke Pass Raigarh, District- Raigarh (C.G.) (Wrongly Mentioned Fathers Name As Nagholi Ram Mahawar In Impugned Order)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Mahila Thana, District- Raigarh (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Ashish Gupta, Advocate.

For Respondent(s) : Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

23/04/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 09/2026 registered at Police Station



Mahila Thana, District- Raigarh (C.G.) for the offence punishable under Sections 78(2), 126(2), 79, 75(3), 3(5) of Bharatiya Nyaya Sanhita (for short 'BNS').

2. Case of the prosecution, in brief, is that the victim/complainant lodged a written report at Police Station, Mahila Thana, Raigarh, alleging that on 09.02.2026 at about 11:10 AM, while she was proceeding towards Raigarh along with her sister in her car for purchasing medicines, and had stopped near Chandmari Mahraj Kirana to feed biscuits to stray dogs, five persons arrived there in a car (Grand Vitara bearing registration No. CG-12-AW-2410). It is alleged that the said persons stopped near the complainant's vehicle and started making obscene gestures, including giving flying kisses and passing obscene remarks. It is further alleged that although the complainant initially ignored their conduct and proceeded towards Raigarh, the accused persons again intercepted her vehicle near Riyapara Triangle and repeated such obscene acts. It is specifically alleged that one of the accused, namely Pradeep Patel, disrobed himself and exposed his private parts to the complainant. Owing to the said incident, the complainant and her sister returned home without completing their errand and thereafter informed the incident to their parents. On the basis of the aforesaid written report, the present crime has been registered against the applicant along with other co-accused persons for the alleged offences. Hence, the bail application.



3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the main accused in the present case is Pradeep Patel, and further the place of incident is a public place and the presupposition has not recorded any statement of independent persons. He also submits that the applicant has neither tried to outraged the modesty of the victim, nor defamed her in public place. Furthermore, anticipatory bail application of three co-accused persons, namely, Rahul Gupta, Kamlesh Yadav and Sangam Tripathi have already been rejected by this Court vide common order dated 06.04.2026 in MCRCA No.498 of 2026. The applicant is in jail since 11.02.2026, the applicant has no criminal antecedent, charge-sheet has been filed 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. She further submits that the applicant allegedly in connivance with co-accused persons, wrongfully intercepted the vehicle of the complainant on the way and indulged in obscene acts, including passing obscene remarks, making indecent gestures, and outraging the modesty of the complainant, further it is specifically alleged that one of the co-accused exposed his private parts in her presence. She also submits that anticipatory bail application of three co-accused persons, namely,



Rahul Gupta, Kamlesh Yadav and Sangam Tripathi have already been rejected by this Court vide common order dated 06.04.2026 in MCRCA No.498 of 2026. Therefore, the applicant is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 11.02.2026, the fact that though the applicant allegedly in connivance with co-accused persons, wrongfully intercepted the vehicle of the complainant on the way and indulged in obscene acts, including passing obscene remarks, making indecent gestures, and outraging the modesty of the complainant/victim, but considering the fact that the applicant has no criminal antecedent and charge-sheet has been filed, also considering the statement of victim recorded under Section 183 of BNSS and the fact that anticipatory bail application of three co-accused persons, namely, Rahul Gupta, Kamlesh Yadav and Sangam Tripathi have already been rejected by this Court vide common order dated 06.04.2026 in MCRCA No.498 of 2026, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Narendra Mahawar**, involved in Crime No. 09/2026 registered at Police Station Mahila Thana, District-



Raigarh (C.G.) for the offence punishable under Sections 78(2), 126(2), 79, 75(3), 3(5) of BNS, be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

- (i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.
- (ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.
- (iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.
- (iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse



of liberty of bail and proceed against him in
accordance with law.

9. However, this Court hopes and trusts that the trial Court shall make earnest endeavour to conclude the trial expeditiously preferably within a period of **six months** from the date of receipt of certified copy of this order, in accordance with law, if there is no legal impediment.
10. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Akhil