



2026:CGHC:9312

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9987 of 2025**

Dashrath Yadav S/o Late Trilochan Yadav Aged About 29 Years Caste-Mahkul, R/o Village Chulhapani, Chowki- Dokda, P.S. And Tahsil Kansabel, District Jashpur C.G.

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, Police Station-Kunkuri, District Jashpur C.G.

... Non-Applicant

For Applicant	: Mr. Jitendra Kumar Saxena, Advocate
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.02.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 228/2025 registered at Police Station-Kunkuri, District Jashpur, (C.G.) for the offence punishable under Sections 64(1), 69 and 351(2) of Bharatiya Nyaya Sanhita, 2023.
2. The prosecution story in brief, is that on 16.11.2025 the victim lodged a report at Police Station Kunkuri stating that she was residing at her matrimonial home. She alleged that on 22.01.2025,



after visiting the house of her maternal uncle, while returning at about 5:00 PM near the school premises of Village Harradand, she met the present applicant, who, on the pretext and assurance of marriage, committed sexual intercourse with her. It is further alleged that on 24.01.2025 at about 12:00 midnight, when she was present at Bazardand Chowk, the applicant again came there, took her towards a nearby field and committed sexual intercourse with her. As a result of the said acts, she became pregnant. In the meantime, her marriage was solemnized with her husband on 16.04.2025, and after about six months of marriage, she delivered a female child in the hospital on 16.10.2025. It is further alleged that after the birth of the child, her matrimonial family members left her at her parental house. On the basis of the said report, offences have been registered against the present applicant. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the First Information Report has been lodged after an inordinate and unexplained delay of about nine months, which casts serious doubt upon the prosecution story. He contends that the victim is a major woman and, from the contents of the FIR as well as her statement, it is apparent that she was a willing and consenting party to the relationship, therefore, the essential ingredients of the alleged offences are not made out against the applicant. He also submits that the applicant is in jail since 17.11.2025, the charge-sheet has been submitted before the



competent Court, 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, the learned State counsel opposed the bail application of the present applicant and submitted that the charge-sheet has been submitted before the competent Court. He also submits that the allegations against the present applicant are grave and serious in nature. It is contended that the victim has specifically alleged that the applicant, on the false pretext of marriage, repeatedly established physical relations with her, which resulted in her pregnancy. It is further submitted that during the course of investigation, DNA examination was conducted and, as per the DNA report, the female child born to the victim has been scientifically established to be the biological child of the present applicant, thereby lending strong corroboration to the prosecution case. He submits that the medical and scientific evidence clearly supports the version of the victim and establishes prima facie involvement of the applicant in the commission of the alleged offence. Considering the seriousness of the offence, the material collected during investigation including the DNA report, the applicant is not entitled to the grant of regular bail
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the nature and gravity of the allegations, the specific and consistent statements of the victim alleging repeated sexual intercourse on the false pretext of marriage, and the scientific evidence collected during investigation, particularly the DNA report



conclusively establishing that the female child born to the victim is the biological child of the present applicant, this Court finds that there exists strong prima facie material against the applicant. The medical and forensic evidence substantially corroborates the prosecution version and cannot be ignored at this stage. In view of the seriousness of the offence, and the overall facts and circumstances of the case, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant – **Dashrath Yadav**, involved in Crime No. 228/2025 registered at Police Station-Kunkuri, District Jashpur, (C.G.) for the offence punishable under Sections 64(1), 69 and 351(2) of Bharatiya Nyaya Sanhita, 2023, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

(Ramesh Sinha)
Chief Justice

Rahul Dewangan