



2026:CGHC:9255

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 288 of 2026**

- Tirath Prasad Rathaur S/o Nand Kumar Rathaur Aged About 20 Years R/o Village- Palli Chindbhata, P S And District Kondagaon C.G. (Correct Name Mentioned)

... Applicant**versus**

- State of Chhattisgarh Through Police Station- Kotwali Jagdalpur, District Bastar C.G.

... Respondent**(Cause title is taken from Case Information System)**

For Applicant : Mr. Shobhit Koshta, Advocate

For Respondent/State : Ms. Ritika Verma, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****23/02/2026**

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.59/2026 registered at Police Station – Kotwali Jagdalpur District- Baster (C.G.) for the offences punishable under Section 69 of Bhartiya Nyay Sanhita (for short 'BNS'), 2023.
2. Case of the prosecution, in brief, is that the prosecutrix aged about 21 years of age lodged the written report on 5/2/26 that in the Year 2023 through phone she came in contact with the applicant and they developed love relationship on account of which from 7/8/24 till



22/1/26 sexual relationship was established between them multiple times on pretext of marriage and they stated in rental house in Kondagaon for about 6 months, 3 months in house of applicant and thereafter the applicant refused to solemnized marriage with prosecutrix despite numerous assurances leading to filing of the present FIR.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the prosecutrix is a major girl, aged about 21 years, who came into contact with the applicant in the year 2023. Thereafter, both developed a love relationship and established physical relations on multiple occasions out of their own free will and consent. It is further submitted that when the said relationship could not materialize into marriage, the present FIR came to be lodged against the applicant with ulterior motives. Learned counsel argues that the relationship between the parties was purely consensual in nature and no offence, as alleged, is made out against the applicant. It is also submitted that the investigation and trial are likely to take considerable time. The applicant is ready and willing to cooperate with the investigation and abide by any conditions imposed by this Hon'ble Court. Therefore, it is prayed that this Hon'ble Court may be pleased to grant anticipatory bail to the applicant.
4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.



6. Considering the facts & circumstances of the case, gravity of offence, also considering the fact that the prosecutrix is a major girl, aged about 21 years, who came into contact with the applicant in the year 2023 and thereafter both developed a love relationship and established physical relations on multiple occasions out of their own free will and consent and when the said relationship could not materialize into marriage, present FIR has been lodged, Further there was a consensual relationship between the prosecutrix and the applicant, investigation and trial are likely to take time, therefore, 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 – **Tirath Prasad Rathour** on executing a personal bond and one local 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

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