



2025:CGHC:22434

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 787 of 2025**

Anup Tirkey S/o Late Mikhail Tirkey Aged About 34 Years Working As Constable (C.R.P.F.), Caste - Uraon, R/o Village - Jumaikela, Police Station - Kansabel, Distt. - Jashpur (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through - Station House Officer, Police Station - Sitapur, District - Surguja (C.G.)

... Respondent

For Applicant : Mr. Manoj Kumar Yadav, Advocate

For Respondent/State : Mr. Arvind Dubey, Govt. Advocate

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****29.5.2025**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 162/2025 registered at Police Station – Sitapur, Distt. Surguja (C.G.) for the offence punishable under Section 64(2) of the Bharatiya Nyaya Sanhita.
2. Prosecution case in brief is that the complainant/victim has made a complaint against present applicant/accused that on 11.8.2023, he

made physical relationship with her on the promise of marriage and and now he refused to marry her. Based on the above complaint , offence under Section 64(2) of the BNS has been registered against the applicant.

3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the aforesaid case, he is innocent and has not committed any offence. He further submits that the complainant is a major lady aged about 34 years and having three children and she was deserted by her husband. She came into contact with present applicant and was having physical relationship with him for about two years and when the applicant stopped giving money to her, she lodged false complaint against him. Present case has been lodged only with the intention to harass the applicant. Hence, he prays for grant of anticipatory bail to the applicant.
4. On the other hand, learned State counsel, opposes the prayer for grant of anticipatory bail to the applicant and also the submissions made by learned counsel for the applicant.
5. I have heard learned counsel for the parties and perused all of the documents taken on record.
6. Considering the facts & circumstances of the case, submissions of learned counsel for the parties, also considering the fact that the victim is a major lady, aged about 34 years and also considering the fact that both the victim and the applicant were in relationship for about two years and thereafter she lodged complaint against him,

without further commenting anything on merits, this Court deems it fit to grant benefit of anticipatory bail to the Applicant.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Anup Tirkey**, on executing a personal bond with 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) He should 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) He should not act in any manner which will be prejudicial to fair and expeditious trial.

(c) He should 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 sureties shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) He should not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE