



CGHC010266712026



2026:CGHC:34799

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6350 of 2026

Narendra Nayan Shashtri S/o Omkar Prasad Sharma, Aged About 39 Years R/o Village - Siliyari, Dharsiva, Distt. Raipur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station-Bagbahara, Distt. Mahasamund, District - Mahasamund (C.G.)

... Non-Applicant

For Applicant	:	Shri TK Jha, Sr. Advocate with Shri Anuroop Panda, Advocate.
For Non-Applicant	:	Shri Sourabh Sahu, PL.
For Objector	:	Ms. Nirupama Bajpai, Advocate.

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

07/08/2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.107/2026 registered at Police Station Bagbahara, District Mahasamund (C.G.) for the offence under Sections 376 (2)(i), 376

(2)(n) & 376 (2)(m) of the IPC.

2. The prosecution case, in brief, is that the victim was suffering from an eye ailment and, as she was not getting relief from medical treatment, her father, through his acquaintance, contacted the present applicant, who claimed that he could cure her through religious rituals. It is alleged that on 07.05.2023, the victim along with her family reached Shri Jin Kushal Suri Jain Bhawan, Bagbahara, where the applicant was conducting a Bhagwat Katha, and stayed there till 15.05.2023. According to the prosecution, on 09.05.2023, the applicant tied a black thread on the hand of the victim, obtained her mobile number and, during the night, called her to his room on the pretext of treatment for her eye disease. It is alleged that he offered "Prasad", causing her to become semi-conscious, and thereafter committed forcible sexual intercourse with her against her will. It is further alleged that on 10.05.2023, the applicant again called the victim to his room on the pretext of treatment, offered "prasad" and again committed sexual intercourse with her. Thereafter, the applicant allegedly remained in contact with the victim, expressed his desire to marry her, threatened her with loss of eyesight, and requested her parents on 15.05.2023 to leave her in his Ashram for treatment. The prosecution further alleges that in 2024, when the victim informed the applicant that her family was searching for a matrimonial alliance, he advised her to first marry another person and thereafter divorce him, assuring that he would marry her

subsequently. The victim got married on 02.03.2025. After her marriage, she disclosed the alleged incidents to her husband, who advised her to lodge a complaint. On the basis of her report, the present FIR was registered against the applicant and he has been arrested. Hence the bail application.

3. It has been argued by learned Senior counsel for the applicant that the applicant is innocent and has been falsely implicated in the crime. The alleged first incident is stated to have occurred in May, 2023 whereas FIR has been lodged only after the marriage of the victim on 06.06.2026. The prosecution has not furnished any satisfactory explanation for such an inordinate delay. Even as per prosecution, the victim remained in contact with the applicant for a considerable period after the alleged first incident and met him on several occasions. CCTV has been installed in the premises of the applicant and females are not permitted to enter the house of the applicant without company. The alleged incident occurred in May, 2023 whereas the report was lodged on 06.06.2026 i.e. after a long lapse of time. The applicant is always accompanied by 10 to 15 disciples during his religious activities. The applicant is in jail since 14.06.2026. Therefore, the applicant may be released on bail.
4. On the other hand, learned counsel appearing for the State/non-applicant and learned counsel for the Objector would oppose the bail application on submission that the charge sheet has been

submitted against the applicant. Therefore, the bail application may be rejected.

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, and the fact that the charge sheet has already been submitted against the applicant, there is delay of 3 years in lodging the FIR, the applicant is in jail since 14.6.2026 and conclusion of trial is likely to take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Narendra Nayan Shashtri**, involved in Crime No.107/2026 registered at Police Station Bagbahara, District Mahasamund (C.G.) for the offence under Sections 376 (2)(i), 376 (2)(n) & 376 (2)(m) of the IPC, be released on bail on furnishing **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 their counsel. In case of his absence, without sufficient cause, the trial court may proceed against them 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 applicants are 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 them in accordance with law.

8. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible within a period of 6 months from the date of receipt of

a certified copy of this order in accordance with law, if there is no legal impediment.

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

Barve