



1 MCRC-40365-2026
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE AJAY KUMAR NIRANKARI
ON THE 25th OF SEPTEMBER, 2026
MISC. CRIMINAL CASE No. 40365 of 2026

Versus
THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Baboo Ji Chourasia - Advocate for the applicant.

Shri Naman Mishra - Panel Lawyer for respondent no.1/State.

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ORDER

This is second bail application filed under Section 483 of BNSS.

As per the prosecution story, the victim alleged that the present applicant forcibly committed rape with her. During investigation, the victim was medically examined. At the time of medical examination, she was two months pregnant. Her pregnancy was terminated. The fetus was preserved. As per the allegation levelled by the victim, the applicant was arrested. His blood sample was collected and sent for chemical/forensic analysis. The State Forensic Science Laboratory, Sagar after examination of the articles which were sent i.e. Placenta tissue, fetus and blood sample of the victim prepared a report dated 29/08/2026.

As per the report, the applicant is not the biological father of fetus. The victim was also examined as PW-1 and she has not supported the prosecution story. In her cross-examination, she has categorically stated that the present applicant has not committed rape with her. As per the scientific report, the applicant is not the biological father of fetus but the victim due to the physical relations with man, conceived pregnancy. The victim is a minor girl having the



age of 16 years 2 months and 16 days. She was subjected to sexual harassment by the applicant and other person.

The Superintendent of Police, District Chhatarpur is directed to constitute a special team and conduct a detailed enquiry and find out that who sexually assaulted the victim and who is the biological father of the fetus. A detailed enquiry shall be concluded within a period of two months and an appropriate and suitable action be taken accordingly. In the statements recorded under Sections 180 and 183 of BNSS, the victim who is a minor girl categorically alleged that the applicant forcibly committed rape with her at Bageshwar Dham situated at District Chhatarpur (M.P.). The victim was recovered at the instance of wife of the applicant which shows that at that time, she was sexually assaulted.

Considering the aforesaid facts, the application filed by the applicant is dismissed.

A typed copy of this order be supplied to the State Government for necessary communication and compliance.

Registrar of this court is directed to communicate this order to the Superintendent of Police, District Chhatarpur for necessary compliance.

(AJAY KUMAR NIRANKARI)
JUDGE

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