

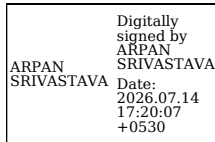


CGHC010222652026



2026:CGHC:29751

NAFR



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1361 of 2026

Gurudev Patel @ Dev Patel S/o Ram Kumar Patel Aged About 30 Years R/o Pulaini P.S. Gidhauri District Baloda Bazar (Wronglyh Mentioned As Bhilaikurd No. -1, P.S. Urga District Korba In The Impugned Order) Presently R/o Next To Church, Chowki Manikpur P/s Kotwali District Korba Chhattisgarh.

... Appellant

versus

State Of Chhattisgarh Through- Outpost Manikpur Police Station Kotwali District Korba C.G.

... Respondent

For Appellant	: Mr. Anshul Tiwari, Advocate
For Respondent	: Mr. Dharmesh Shrivastava, Dy. A.G. along with Mr. Tarkeshwar Nande, P.L.

Hon'ble Shri Justice Radhakishan Agrawal

Order on Board

14/07/2026

1. This criminal appeal has been filed by the accused/appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeking grant of bail, against the order dated 02.06.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act, Korba, District Korba (C.G.) in Special Case No.539/2026, whereby the application filed by the appellant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023

(for short, “the BNSS, 2023”) for grant of bail has been rejected.

2. The appellant has been arrested in connection with Crime No.402/2026 registered at Police Outpost Manikpur, Police Station Kotwali, District Korba (C.G.), for the offences punishable under Sections 69 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, “the BNS, 2023”) and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, “the Act of 1989”).
3. As per the prosecution, in brief, is that the prosecutrix alleged that she came into contact with the appellant through a mobile phone about two years prior to the incident. It is alleged that the appellant developed a relationship with her on the false promise of marriage and thereafter established physical relations with her against her will on several occasions by extending threats of defamation and death. It is further alleged that the appellant took her to different places, kept her in confinement, and continued physical relations under threats. The prosecutrix further alleged that after she became pregnant, the appellant administered Misoprostol tablets to her for termination of pregnancy and thereafter abandoned her while threatening her not to disclose the incident to anyone. On the basis of the report lodged by the prosecutrix, the offence under Sections 69 and 351(3) of the BNS, 2023 was registered and subsequently, Section 3(2)(v) of the Act of 1989 was added as the prosecutrix belongs to a Scheduled Caste community.
4. Learned counsel appearing for the appellant submits that the appellant is innocent and has been falsely implicated in the present case. It is

submitted that the prosecutrix is a major and was in a consensual relationship with the appellant for the last about two years. Learned counsel further submits that the allegations levelled against the appellant are false, frivolous, and fabricated and there is no prima facie material available on record to establish the commission of the alleged offences. It is further submitted that the appellant is in judicial custody since 22.05.2026 and the trial is likely to take considerable time for its conclusion. Therefore, it is prayed that the appellant may kindly be enlarged on bail.

5. Learned counsel appearing for the State opposes the appeal and submits that the appellant, on the pretext of marriage, established physical relations with the prosecutrix against her will on several times. It is further submitted that when the prosecutrix expressed her intention to lodge a complaint against the appellant, he threatened to defame her by showing her photographs to other persons and also threatened to kill her if she disclosed the incident to anyone. Learned State counsel further submits that the appellant administered medicines to the prosecutrix for termination of pregnancy and also physically assaulted her. It is, therefore, submitted that considering the gravity of the allegations, the appellant is not entitled to be released on bail.
6. The prosecutrix and her mother appeared through DLSA, Korba and opposed the prayer for grant of bail to the appellant.
7. I have heard learned counsel appearing for the parties and perused the case diary/material available on record.
8. Considering the nature and gravity of the allegations levelled against

the appellant, the statement of the prosecutrix, and the material available on record, this Court is not inclined to grant the benefit of bail to the appellant.

9. Accordingly, the present appeal stands dismissed.

Sd/-
(Radhakishan Agrawal)
Judge

Arpan