



CGHC010262422026

2026:CGHC:31353

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 1731 of 2026**

Roshan Gupta S/o Shri Shivkumar Gupta Aged About 20 Years R/o Village  
Jamgala Mahuvatikra , P.S. Lakhanpur, Distt- Surguja (C.G.)

**... Appellant****versus**

State of Chhattisgarh Through Police Station Ambikapur, Distt- Surguja (C.G.)

**.. Respondent**


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| For Appellant  | : Dr. Prachi Diwan, Advocate    |
| For Respondent | : Ms. Deepa Singh, Panel Lawyer |

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**Hon'ble Shri Justice Sanjay Kumar Jaiswal****Order On Board****22.07.2026**

1. This appeal is filed second time under Section 14-A (2) of the SCST (Prevention of Atrocities) Act, 1989 for grant of regular bail to the appellant as he is arrested in connection with crime number 899/2025 registered at police station- Ambikapur, District Surguja (C.G.) for

commission of offence punishable under Sections 69 & 88 of BNS and 3(2)(v) of the SC/ST (Prevention of Atrocities) Act 1989.

2. The first appeal preferred by the appellant before this Court vide order dated 17.04.2026 in CRA No. 824 of 2026 was dismissed, as the trial had not commenced at the relevant time.
3. By order dated 15.06.2026 passed by the Trial Court in ST No.14/2026, the second bail application filed by the appellant has been rejected against which the appellant has filed this appeal.
4. As per the prosecution case, the appellant knew that the victim was a member of Scheduled Tribe, yet he assured her of marriage, had sexual intercourse with her and when the victim became pregnant, caused her abortion by administering abortion medicine. Subsequently, a report being lodged in this regard, the appellant was arrested on 11.02.2026.
5. Learned Counsel appearing for the Appellant submit that the appellant is innocent and has been falsely implicated in the case. She further submits that the victim is a major lady and the change in circumstances is that out of 17 prosecution witnesses, only 1 witness, the victim has been examined so far as PW-1 and she has turned hostile and has not supported the prosecution case. It is further submitted that the dispute between the applicant and the victim arose out of a monetary transaction. She lastly submit that the appellant is in jail since 11.02.2026 and the trial is likely to take some time to be finalized, therefore, it is prayed that the appeal may be allowed and the appellant may be released on bail.

6. On the other hand, learned Counsel appearing for the State opposes the bail application and submits that there is sufficient evidence available on record against the Appellant and out of 17 witnesses only 01 has been examined till date and several important witnesses remain to be examined, therefore, at this stage, he may not be enlarged on bail.
7. Pursuant to the order dated 16.07.2026 passed by this Court, the victim appeared through V.C. from the concerned DLSA and raised no objection to grant of bail to the applicant.
8. I have heard learned Counsel appearing for the parties and perused the documents available on record.
9. Considering the facts and circumstances of the case and the alleged change in circumstances that out of the 17 prosecution witnesses, only 1 witness, the victim has been examined so far, this Court has also taken note of the fact that the victim was a major lady at the time of the alleged incident and has considered her statement recorded before the trial Court and also further considering the custody period of the appellant and the fact that the trial is likely to take some time to be finalized, without further commenting on other merits of the case, this Court is of the opinion that it would be appropriate to release the appellant on bail.
10. Accordingly, the appeal is **allowed** and the impugned order dated 15.06.2026 passed by the Trial Court is set-aside.
11. It is directed that the appellant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the said

Court as and when directed.

Sd/-

**(Sanjay Kumar Jaiswal)**

Judge

AMIT PATEL