



CGHC010330932026



2026:CGHC:44681

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 2236 of 2026**

1 - Deepak Kewat S/o Shri Amrit Lal Kewat Aged About 19 Years R/o Village Kachanda, Police Station Jaijaipur, District Sakti (Chhattisgarh) 495689

2 - Roop Kumar Sidar, S/o Shri Rajaram Sidar, Aged About 28 Years R/o Village Kachanda, Police Station Jaijaipur, District Sakti (Chhattisgarh) 495689

3 - Veer Singh S/o Dukhi Ram, Aged About 20 Years R/o Village Kachanda, Police Station Jaijaipur, District Sakti (Chhattisgarh) 495689

... Appellants**versus**

1 - State Of Chhattisgarh Through Police Station Jaijaipur, District Janjgir -Champa (C.G.)

... Respondent

For Appellants	:	Mr. Uday Singh Bhadoriya, Advocate
For Respondent	:	Mr. Dharmesh Shrivastava, Dy. A.G.

/State

Hon'ble Shri Justice Rakesh Mohan Pandey**Judgment on Board**

15/10/2026

1. The appellants have preferred this Criminal Appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short “the SC/ST Act”) for setting aside of order dated 05/05/2026 passed by the Special Judge SC/ST Act (Atrocities), Janjgir-Champa (C.G.) whereby the regular bail application filed by the appellants under Section 483 of BNSS who have been arrested in connection with Crime No. 26/2026 registered at Police Station Jaijaipur, District Janjgir-Champa (C.G.) for commission of offence punishable under Sections 191(1), 296, 109(1) of BNS, Sections 25 and 27 of the Arms Act and Section 3(1)(r)(s) of the SC/ST Act, 1989 has been rejected.
2. Case of the prosecution, in brief, is that on 14/01/2026, the present appellants along with three other co-accused persons assaulted four people namely Yuvraj Sidar, Aryan Sidar, Pankaj Sidar and Rakesh Sidar with the use of iron rod, wooden laathi, knife and with hands and fists due to which the said injured persons sustained grievous injuries. On the complaint made by injured Yuvraj Sidar on 15/01/2026, FIR was registered by the police against the accused persons for the aforesaid offences.
3. Mr. Uday Singh Bhadoriya, learned counsel appearing for the appellants, would argue that the appellants are innocent and they have falsely been implicated in the crime in question. He would further argue that the injuries sustained by the injured persons are simple in nature. It is also contended that the appellants have no previous criminal antecedents; investigation has already been

completed; charge-sheet has been filed and the appellants are in jail since 15/01/2026 and conclusion of trial will likely take considerable time. With regard to the offence punishable under Section 3(1)(r)(s) of the SC/ST Act, 1989, learned counsel for the appellants would submit that there is no such allegation in the entire FIR that the appellants abused and assaulted the injured persons in the name of their caste, thus, he would pray that the appellants be released on bail.

4. On the other hand, Mr. Dharmesh Shrivastava, learned counsel appearing for the non-applicant/State, opposes the criminal appeal and the submission made by learned counsel for the appellants. He would submit that the injuries suffered by Aryan Sidar are grievous in nature as the appellants inflicted knife blows upon him as a result of which, he suffered two incised wounds and one lacerated wound whereas the injuries suffered by other injured persons are simple in nature. He would further contend that the appellants assaulted the injured persons knowing fully well that they are members of Scheduled Tribes. Thus, he would pray for rejection of this bail application.
5. The complainant appeared before this Court through video conferencing from the concerned DLSA and gave his consent for grant of bail to the appellants.
6. I have heard learned counsel for the parties, perused the case diary and went through the material available on record.
7. Having considered the facts and circumstances of the case, nature and gravity of the offence and further considering that out of four injured persons, three have suffered simple injuries

whereas the injuries suffered by only one injured person is said to be grievous in nature and looking to the fact that complainant has given his consent for grant of bail to the appellants; the appellants have no previous criminal antecedents and lastly, taking into consideration that charge-sheet has been filed and appellants are in jail since 15/01/2026 and conclusion of trial will likely take considerable time, without expressing any opinion on the merits of the case, this Court finds it appropriate to grant bail to the appellants.

8. Accordingly, the instant appeal is **allowed** and the order dated 05/05/2026, passed by the learned Special Judge, SC/ST Act (Atrocities), Janjgir-Champa is hereby **set-aside**. The **Appellants – Deepak Kewat, Roop Kumar Sidar and Veer Singh** 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 appellants shall file an undertaking to the effect that they 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 appellants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita;
- (iii) In case, the appellants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS is issued and

the appellants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them in accordance with law under Section 209 of the Bharatiya Nyaya Sanhita; &

(iv) The appellants 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 appellants is 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.

9. However, this Court hopes and trust that the trial Court should make an earnest endeavour to conclude the trial as expeditiously as possible.
10. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

(Rakesh Mohan Pandey)

JUDGE