CGHC010156902026 2026:CGHC:44995

NAFR

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1083 of 2026

Bal Singh S/o Indrajeet Aged About 29 Years R/o Village Dhumadand (Salhenipara), Out Post Rewati, Police Station Chandoura, District Surajpur C.G.

... Appellant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Out Post Rewati, Police Station Chandoura, District- Surajpur C.G.

... Respondent(s)

For Appellant	:	Mr. Anil K. Gulati, Advocate.
For Respondent/State	:	Mr. Dharmesh Shrivastava, Dy. Adv. Gen.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

26/10/2026

1. The appellant has preferred this Appeal/bail application under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeking grant of regular bail in connection with Crime No. 12/2026, registered at Police Station Chandoura, District Surajpur (C.G.), for the offences punishable under Section 64(1) of the BNS and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

2. The prosecution story, in brief, is that on 26.01.2026, at about 11:00

a.m., while the victim was returning from a Choice Centre after withdrawing money, the appellant, who belongs to the same village, offered to drop her on his motorcycle. It is alleged that the appellant took her towards Beharadand Bridge and committed sexual assault upon her despite being aware of her caste. On hearing her cries, a villager reached the spot, whereupon the appellant fled. Thereafter, the victim lodged the FIR against the appellant on 28.01.2026.

3. Learned counsel for the appellant would submit that the appellant is innocent and has been falsely implicated in the present case. He would further submit that the alleged incident occurred on 26.01.2026, whereas the FIR was lodged on 28.01.2026, without any satisfactory explanation for the delay. He would further submit that the victim, aged about 40 years, was allegedly seen in a compromising position with the appellant by a villager, who informed other villagers, whereafter the report was lodged. It is further submitted that the medical examination report does not reveal any external injury or marks of struggle on the person of the victim. According to learned counsel, the circumstances indicate a consensual relationship between the parties and in the present case, charge-sheet has already been filed, the appellant is in jail since 24.02.2026 and the conclusion of trial is likely to take some time. Therefore, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the victim, in her statement recorded under Section 183 of the BNSS, has specifically alleged that the appellant forcibly took her to Beharadand Bridge and

committed sexual assault upon her. Considering the nature and gravity of the allegations, the appellant is not entitled to be released on bail.

5. Pursuant to the notice issued upon the victim, the victim appeared before a Co-ordinate Bench of this Court on 24.08.2026 and raised an objection to the grant of bail to the appellant.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Having considered the facts and circumstances of the case, nature and gravity of the offences alleged against the appellant, the fact that the FIR was lodged two days after the alleged incident, the age of the victim being about 40 years, the defence submission that the appellant and the victim were allegedly seen together by a villager prior to lodging of the FIR, the medical examination report, the fact that the charge-sheet has already been filed and the appellant is in jail since 24.02.2026, this Court, without further commenting upon the merits of the case, is inclined to grant bail to the appellant.

8. Accordingly, the bail application is **allowed**. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal