SIDDHANT TAMRAKAR
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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2034 of 2026

- Bahadur Jaiswal S/o Late Amrit Jaiswal Aged About 65 Years R/o Sattipara, Police Station- Ambikapur, District- Surguja, (C.G.)

--- Appellant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gandhinagar, District- Surguja (C.G.)

--- Respondent

CRA No. 2052 of 2026

- Karan Viswakarma S/o Ajay Vishwakarma, Aged About 21 Years R/o Namnakala, Nagmata Gali, Ambikapur, District Surguja (C.G.)

---Appellant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gandhinagar, District Surguja (C.G.)

--- Respondent

For Respective Appellants : Mr. Shakti Raj Sinha and Mr. Nishikant Sinha, Advocates
For State : Mr. Dharmesh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

06.10.2026

1. Complainant appeared through V.C. and has given his consent for grant of bail to the appellants.

2. The appellants have preferred these Criminal Appeals under Section 14-A(2) of the SC/ST (Prevention of Atrocities) Act, 1989 for setting aside of orders dated 04.08.2026 and 03.08.2026 respectively passed by the Special Judge (Atrocities), Surguja(Ambikapur) and for grant of regular bail to the appellants, who have been arrested in connection with Crime No. 369/2025, registered at Police Station- Gandhinagar, District Surguja (C.G.) for the offence punishable under Sections 140(2), 140(3), 61(2) of BNS and Sections 3(2)(v), 3(2)(v-a) of the SC/ST (Prevention of Atrocities) Act, 1989 (for short Act, 1989).

3. As per the prosecution case, the appellants/accused, along with co-accused namely Raju @ Maharaj, Bahadur Jaiswal, Vicky @ Purab Kushwaha, Dhananjay Giri and other persons, allegedly made a plan together and in furtherance of their common intention, abducted the complainant- Shankar Dayal Ravi, knowing that he belonged to a Scheduled Caste. It is alleged that, due to an earlier land dispute and for the purpose of recovering money, they kept the complainant confined, assaulted him, and demanded ransom from him. Based upon the complaint by the complainant/victim, the present appellants were arrested by the Police and offence as stated above have been registered against them.

4. Learned counsel appearing for respective appellants submits that the appellants have not committed any offence and have falsely been implicated in the present case. They further submit that the victim/complainant and his wife were examined as PW-1 and PW-2

before the learned trial Court, but they have turned hostile and not supported the case of the prosecution. They also submit that there is a previous land dispute between the parties, on account of which, the appellants have falsely been implicated. They further submit that appellant- Bahadur Jaiswal is in jail since 27.06.2025 and appellant- Karan Viswakarma is in jail since 13.08.2025 and the conclusion of trial is likely to take some time, therefore, it is prayed that both the appeals may be allowed and the appellants may be released on bail.

5. On the other hand, learned State counsel opposes the appeals for grant of regular bail.

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, the fact that no objection has been raised by the complainant, the detention period of the appellants and further conclusion of the trial is likely to take some time, without expressing any opinion on the merits of the case, I am inclined to allow both the appeals and appellants are entitled to be released on regular bail. The orders dated 03.08.2026 and 04.08.2026 passed by the Special Judge (Atrocities), Surguja(Ambikapur) in Special (Atrocities) Case No. 43/2025 are hereby set-aside. Accordingly, both the criminal appeals are **allowed.**

8. It is directed that, in the event of the appellants executing a personal bond in the sum of Rs. 50,000/- each with one surety to the satisfaction of the concerned trial Court, they shall be released on bail on the

following conditions:-

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

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

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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