CGHC010320292026 2026:CGHC:46823

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2059 of 2026

Dr. Gyanendra Singh S/o Yugol Kishor Singh Aged About 45 Years Posted As Ayurveda Medical Officer (Contractual) At Govt. Ayurvedic Dispensary, Dhanora, Police Station Toynar, Tahsil Bijapur, District Bijapur, Chhattisgarh Presently R/o House No. 10, GAD Colony, Ward No. 1, Manjhiguda, Tahsil And District Bijapur, Chhattisgarh (Not Mentioned In The Impugned Order)

... Appellant

versus

State of Chhattisgarh Through The Police Station Tyonar, District Bijapur Chhattisgarh

... Respondent

For Appellant	:	Mr. Siddharth Pandey, Advocate
For Respondent	:	Dr. Surendra Dewangan, Panel Lawyer

SB: Hon'ble Mr. Justice Parth Prateem Sahu

Order On Board

05.11.2026

1. This criminal appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (henceforth 'the Act of 1989') has been preferred against the order dated 11.8.2026 by which learned Special Judge, SC ST (PA) Act, South Bastar, Dantewada rejected

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

application of appellant for grant of anticipatory bail in connection with Crime No.7/2026 registered at Police Station Toynar District Bijapur (CG) for commission of offence punishable under Sections 64 of the Bhartiya Nyay Sanhita, 2023 (For short ‘BNS’) and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity 'the Act of 1989').

2. Case of the prosecution, in brief, is that complainant lodged report in concerned police station alleging that on 15.3.2026 at about 2:00 p.m. she along with her minor child was in her house, at that time appellant came there, caught hold of her hand, took her inside a room and forcibly committed sexual intercourse with her against her will. Due to fear, she did not disclose the incident to anyone and upon return of her husband on 25.3.2026, she narrated the entire incident to him and thereafter written complaint is submitted in police station. Based on this report, aforementioned crime was registered against applicant and the police are in search of appellant.

3. Learned counsel for the appellant would submit that absolutely false and frivolous allegation of committing forcible sexual intercourse is levelled against appellant. There was consensual relationship between the appellant and the complainant and even after 15.3.2026, alleged date of incident, complainant was in regular touch of appellant and

was continuously talking to him. However, when the husband of complaint got the knowledge of her relationship with appellant, she was compelled by her husband to register false FIR against the appellant. He further submits that alleged incident occurred on 15.3.2026 and report of the same was made on 27.7.2026 i.e. after 4 months 12 days, and no explanation has been offered for such a long delay in lodging the report.

4. On the other hand, learned State Counsel opposed submissions of learned counsel for appellant and would submit that specific allegation against the appellant is levelled by complainant that he has committed forcible sexual intercourse with her when she was alone in the house. He also pointed out that at the time of incident, husband of complainant had gone out of station to earn livelihood and on his returning home, the complainant narrated the incident to him and thereafter report was lodged.

5. Pursuant to notice issued by this Court, victim was present before this Court on 04.11.2026 through virtual mode from DLSA, Bijaspur and raised objection in grant of anticipatory bail to appellant.

6. I have heard learned counsel for the parties and perused the documents filed along with appeal.

7. Taking into consideration the facts and circumstances of the case, the nature of allegation, submission made by learned counsel for respective parties, without commenting anything on merits of the case, I am inclined to release the appellant on anticipatory bail.

8. For the forgoing discussions, the appeal is allowed. Impugned order is set aside. It is directed that in the event of arrest of appellant in connection with crime in question, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Arresting Officer. Appellant shall also abide by following conditions: -

> i) that the appellant shall make himself available for interrogation before the Investigating Officer as and when required;
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> (ii) the appellant 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 facts to the Court or to any police officer; Certified copy as per rules

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Balram