SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2093 of 2026

- Suraj Singh S/o Netralal Aged About 35 Years R/o Nevaibhahta, Ward No. 42, Bhilai, Utai, Tahsil And Distt.- Durg, C.G.

... Appellant

versus

- State Of Chhattisgarh Through Thana- Nevai, Distt.- Durg, C.G.

... Respondent

For Appellant : Mr. Samir Singh, Advocate
For State : Mr. Dharmesh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

1. The victim/complainant appeared before this Court through virtual mode and raised serious objection in grant of bail to the appellant.

2. The appellant has preferred these Criminal Appeals under Section 14-A(2) of the SC/ST (Prevention of Atrocities) Act, 1989 for setting aside of order dated 12.08.2026 passed by the Special Judge (Atrocities Act), Durg and for grant of regular bail to the appellant, who has been arrested in connection with Crime No. 354/2025, registered at Police Station-Nevai, District Durg (C.G.) for the offence punishable under Sections 296, 351(3), 79, 74, 78 (2) of BNS, Section 67 of IT Act and Sections

3(2) (v a), 3 (1)(r)(d)(w) of SC/ST (Prevention of Atrocities) Act, 1989.

3. As per case of the prosecution, on 03.11.2025, the victim lodged a written report to the effect that the present applicant abused her, committed an act outraging her modesty and used obscene & abusive words in Instagram messages. On such complaint, police registered the offence as stated above. During the course of investigation, police recovered two Instagram posts uploaded by the applicant herein.

4. Learned counsel appearing for the appellant would contend that the appellant is innocent and has been falsely implicated. He further submits that charge-sheet has already been filed, applicant is in jail since 31.07.2026 and he has no criminal antecedent. With regard to Sections 3(2)(va) and 3(1)(r), (s) and (w) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, he would submit that there is no allegation that the appellant abused the victim by referring to her caste or humiliated her on that basis. Thus, he would pray for grant of bail to the present appellant.

5. On the other hand, learned counsel appearing for the State would oppose. Mr. Dharmesh Shrivastava, Deputy Advocate General, would contend that there is *prima facie* material against the appellant as he uploaded an obscene post on Instagram. He would submit that the appellant used filthy language against the victim; therefore, this appeal deserves to be dismissed.

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, particularly

the fact that the charge-sheet has already been filed and custodial interrogation of the appellant is no longer required, coupled with the fact that the appellant is in jail since 31.07.2026 and has no criminal antecedent, without commenting anything on the merits of the case, I am inclined to allow this appeal. The order dated 12.08.2026 passed by the Special Judge (Atrocities Act), Durg in Special (Atrocities) Case No. 2210/2026 is hereby set-aside. Accordingly, instant criminal appeal is **allowed.**

8. It is directed that, in the event of the appellant executing a personal bond in the sum of Rs. 50,000/- with one surety 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 them by the said Court till disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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