CGHC010360902026 2026:CGHC:43305

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2377 of 2026

Xyz Aged About 31 Years Nill

... Applicant(s)

versus

1 - State Of Chhattisgarh Through- Police Station Simga, District- Balodabazar-Bhatapara (C.G.)

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

2 - Heeralal Sahu S/o Chaituram Sahu Aged About 32 Years R/o Chandiya Pathra P.S. Simga District- Balodabazar-Bhatapara (C.G.)

3 - Chhhamman Sahu R/o Chandiya Pathra P.S. Simga District Balodabazar-Bhatapara (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Manoj Paranjpe, Senior Advocate along with Mr. Aditya Solapurkar, Advocate.
For Non-Applicant/State	:	Mr. K.S. Saini, learned Dy. Govt. Advocate.
For Non-Applicant Nos. 2 and 3	:	Mr. Kishore Narayan, Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

06/10/2026

1. The present appeal has been preferred by the appellant/victim under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeking cancellation of

the bail granted to respondent Nos.2 and 3 and setting aside the order dated 19.08.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act, 1989, Balodabazar, District Balodabazar-Bhatapara, Chhattisgarh, whereby respondent Nos.2 and 3, who are accused in the case, have been enlarged on bail. Hence, the present appeal has been preferred by the appellant/victim challenging the aforesaid order of grant of bail.

2. The prosecution case, in brief, is that on 22.04.2026 at about 11:59 P.M., accused/respondent Nos.2 and 3, namely Heeralal Sahu and Chhamman Sahu, allegedly came to the house of the complainant armed with bamboo sticks and a sharp-edged weapon, forcibly entered the house, damaged household articles and assaulted her husband, namely Dhanraj Dhitode. It is further alleged that the accused persons caught hold of the complainant by her hand and arm, abused her and her husband using caste-related abusive words, threatened them with dire consequences and attempted to outrage the modesty of the complainant. It is further alleged that there was an earlier dispute between the parties relating to Pradhan Mantri Awas Yojana, pursuant to which Crime No.170/2026 was registered at Police Station Simga on the complaint of the complainant's husband against respondent No.2. Thereafter, the accused persons allegedly went to the complainant's house and threatened her to withdraw the said case. On the basis of the complaint, Crime No.243/2026 was registered at Police Station Simga for the aforesaid offences and thereafter, the accused were arrested.

3. Thereafter, respondent Nos.2 and 3 preferred their respective bail applications before the learned trial Court and after considering the nature and gravity of the allegations as well as the criminal antecedents of the accused persons, the learned trial Court, vide order dated 19.08.2026, enlarged respondent Nos.2 and 3 on bail. Being aggrieved by the aforesaid order, the appellant/victim has preferred the present appeal seeking cancellation of the bail granted to respondent Nos.2 and 3.

4. Learned Senior Counsel appearing for the appellant/victim would submit that while seeking bail, respondent Nos.2 and 3 suppressed their criminal antecedents and the learned trial Court failed to properly appreciate the gravity and nature of the allegations levelled against them. He would further submit that the impugned order granting bail is contrary to the material available on record and therefore, deserves to be set aside and the bail granted to respondent Nos.2 and 3 be cancelled.

5. On the other hand, learned State counsel would support the order passed by the learned trial Court.

6. Learned counsel appearing for respondent Nos.2 and 3 would submit that although the respondents have five criminal antecedents, all the said cases have already been disposed of. He would further submit that the said antecedents relate to offences under the Chhattisgarh Excise Act, particularly under Sections 36(C) and 34(2) thereof. It is further submitted that the learned trial Court, while granting bail, had duly taken into consideration the

criminal antecedents as well as the nature and gravity of the allegations. He would also submit that there is no allegation that respondent Nos.2 and 3 have misused the liberty of bail or violated any of the conditions imposed upon them. Therefore, no ground for cancellation of bail is made out and the present appeal deserves to be dismissed.

7. I have heard learned counsel appearing for the parties and perused the material available on record.

8. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the impugned order, it appears that the learned trial Court was conscious of the criminal antecedents of respondent Nos.2 and 3 and has specifically taken note of the fact that they had five criminal antecedents under the provisions of the Chhattisgarh Excise Act, but all those cases had already been disposed of. Thus, the contention regarding non-consideration of the criminal antecedents by the learned trial Court does not appear to be sustainable. It is further relevant to note that there is no allegation in the present appeal that, after being enlarged on bail, respondent Nos.2 and 3 have misused the liberty granted to them, attempted to influence or threaten any prosecution witness, or violated any of the conditions imposed while granting bail.

9. In the absence of any subsequent circumstance or supervening circumstance warranting cancellation of bail, this Court does not find any sufficient ground to interfere with the discretionary order

passed by the learned trial Court.

10. Accordingly, the present appeal seeking cancellation of bail granted to respondent Nos.2 and 3 is **dismissed**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal