CGHC010367762026 2026:CGHC:45062

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2363 of 2026

Mit Kumar Verma S/o Kalicharan Verma Aged About 22 Years R/o Village- Mohbhatta, Police Station Hathband District- Balodabazar Bhatapara (C.G.)

... Appellant

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Date: 2026.10.27 11:03:23 +0530

versus

State Of Chhattisgarh Through- The Station House Officer, Police Station Hathband, District- Baloda Bazar Bhatapara (C.G.) **... Respondent**

For Appellant	:	Shri Sumit Jhanwar, Advocate.
For Respondent	:	Shri Jitendra Shrivastava, G.A.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

26/10/2026

1. The instant criminal appeal filed by the appellant under Section 14-A(ii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short, the Act, 1989) is for grant of regular bail to him, who has been arrested in connection with Crime No.152/2026 registered at Police Station – Hathband, Dist. Baloda Bazar-Bhatapara (C.G.), for the offence punishable under Section 64(2)(ङ), 115(2), 351(2) of the Bhartiya Nyay Samhita, 2023 (for short, the BNS) and Section 3(2)(v) of the Act, 1989.
2. As per the case of prosecution, on 10.11.2025 at around 11:00 pm, the appellant called victim, who is member of scheduled tribe community and took her to lonely place and sexually assaulted her. It is also

alleged that the victim was taken away to Pune and stayed there for a period of 15 days where again the present applicant committed sexual assault on her and further on 29.04.2026, the appellant took the victim to Mahasamund where also they stayed for a period of one month and subsequently, she returned to her home and narrated the facts to her parents and thereafter, F.I.R. was lodged. Resultantly, the police registered the offences, as stated above.

3. By order dated 23.07.2026 passed by the learned Special Judge in Special Case No. 816/2026, the bail application filed by the appellant has been rejected against which the appellant has filed this appeal.

4. Learned counsel for the appellant would submit that there was consensual relationship between the parties, which continued for a considerable period; the victim stayed with the appellant at Pune for 15 days and then stayed 30 days at village Tumgaon, District Mahasamund and there is no allegation against the appellant that he maintained the relationship knowing well about the social status of the victim, therefore, the offence under Section 3(2)(v) of the Act of 1989 would not attract. He would submit that charge-sheet has already been filed; the applicant has no criminal antecedent and the appellant is in jail since 12.07.2026 and that, trial may take its time for its conclusion. Thus, learned counsel for the appellant would pray that the instant appeal may be allowed and enlarge the appellant on bail.

5. On the other hand, learned counsel for the State would oppose the bail. He would submit that the present appellant, on the pretext of marriage, sexually assaulted the victim on many occasions. It is also argued that the present appellant physically assaulted the victim, as a result of which, injuries were found on the body of the victim, therefore,

this appeal deserves to be dismissed.

6. Victim appeared through video conferencing and raised serious objection in granting bail to the appellant.

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

8. Perusal of F.I.R. would make it clear that there is no allegation to the effect that the appellant sexually assaulted the victim knowing her social status. Further, the victim accompanied the appellant to Pune where they stayed as husband and wife for a period of 15 days and again they stayed at village Tumgaon (District Mahasamund) for a period of 30 days and thus relationship between them appears to be consensual. The applicant has no criminal antecedent and the appellant is in jail since 12.07.2026 and that, trial may take its time for its conclusion.

9. Having considered the above facts, I am inclined to grant bail to the appellant. Accordingly, the instant appeal is **allowed.**

10. Let the appellant be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with 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.

11. The observation made herein above is for the purpose of deciding this instant bail applicant only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani