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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2547 of 2026

Chandan Sharma @ Chandraprakash S/o Shri Ram Ashish Sharma, Aged About 38 Years Occupation Laborer, Caste Brahmin, R/o Village Godripara,chirmiri, P.S. And Tehsil Chirmiri District - M. C. B. Chhattisgarh.

... Appellant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Ajak, Baikunthpur District Koriya Chhattisgarh **... Respondent**

For Appellant	:	Mr. Shakti Raj Sinha, Advocate.
For Respondent/State	:	Mr. Sumit Singh, Dy. A.G.

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26/10/2026

1. The appellant has preferred this Appeal/bail application under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeking grant of regular bail in connection with Crime No. 08/2023, registered at Police Station Ajak, Baikunthpur District Koriya (C.G.), for the offences punishable under Sections 343, 506, 365, 367, 368, 34 of the IPC and Section 3(1)(R) of SC/ST Act.

2. Case of the prosecution, in brief, is that the complainant lodged a

written report on 12.10.2023 alleging that on 05.01.2022 at about 6:30 pm, appellant came to his house on his Creta Car, knocked his door heavily and when complainant came out of the house, appellant started abusing him in filthy language and also abused him by his caste. He was also assaulted and forcefully under the thereat of pistol took him on his vehicle to Bilaspur. On the way one Chandan Sharma also accompanied. While travelling to Bilaspur, appellant has threatened that if today his wife was not extended benefit of bail, he will implicate him in rape case. When he came to Bilaspur, pass was prepared in the name of Chandan Sharma and complainant. Again he was forced to make statement in favour of his wife. Based on the report, crime was registered and appellant was arrested on 01.11.2023.

3. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in the present case. He further submits that as per the allegations, the appellant merely accompanied the main accused, Sanjay Agrawal, who has already been granted regular bail by this Court vide order dated 01.02.2024 passed in CRA No. 2162 of 2023. He submits that the case of the appellant stands on a better footing. Therefore, the appellant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail. However, he does not dispute the submission made by learned counsel for the appellant that the allegation against the co-accused, Sanjay Agrawal, is that he took the complainant along with him to the Court at the time of the hearing of the anticipatory bail application filed by his wife.

5. Pursuant to the notice issued to the victim, he appeared through the concerned DLSA and raised an objection to the grant of bail to the appellant.

6. I have heard learned counsel for the respective parties.

7. Considering entirety of the facts and circumstances of the case, nature of the allegations, submissions made by learned counsel for the respective parties, the period of detention of the appellant, co-accused, Sanjay Agrawal, has already been granted bail by this Court vide order dated 01.02.2024 passed in CRA No. 2162 of 2023, I find it to be a fit case to enlarge the appellant on bail.

8. Accordingly, appeal is allowed. Impugned order passed by learned Court below on 18.09.2026 is set aside. It is directed that appellant shall be released on regular bail upon his furnishing a bail bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that:-

> "(a) The appellant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.
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> (b) The appellant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.
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> (c) In case, the appellant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the appellant fails to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law,

under Section 209 of the Bharatiya Nyaya Sanhita.

(d) The appellant shall remain present, in person, before the trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial Court absence of the appellant is deliberate or without sufficient cause, then it shall be open for the trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law."

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
Judge

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