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## HIGH COURT OF CHHATTISGARH AT BILASPUR

### CRA No. 409 of 2026

- Mo. Meraj S/o Late Abdul Rahim Aged About 29 Years (Wrongly Mentioned As Abadul In Impugned Order), R/o Ward No. 15, Niyogi Nagar Rajhara, District Balod C.G.

... Appellant

versus

- The State Of Chhattisgarh Through S.H.O., Rajhara District Balod Chhattisgarh

... Respondent/State

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For Applicants : Mr. Vidhya Bhushan Soni, Advocate.

For Respondent(s) : Mr. Aman Tamrakar, PL

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**Hon'ble Shri Justice Sanjay Kumar Jaiswal**

### Order On Board

**28.02.2026**

- Pursuant to the order dated 11.02.2026 of this Court, the victim appeared through concerned DLSA before this Court and raised objection in granting bail to the appellant.
- Her objection is taken on record.
- This appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the SC/ST Act") has been preferred by the appellant against the order dated 13.01.2026 passed by the Special Judge (Atrocities), Balod (C.G.) whereby the bail application

filed by the appellant under Section 483 of BNSS in connection with Crime No.389/2025 registered at Police Station Rajhara, District- Balod (C.G.) for commission of offence punishable under Sections 74 of BNS and Section 3(i) (B) of the SC/ST Act has been rejected.

4. The prosecution alleges that the complainant reported to the police that on 15/12/2025, between 3-4 pm, while returning home on her scooty after shopping at Rajhara, she passed by the Rajhara Cricket Ground. The appellant called her, and when she stopped, he attempted to outraged her modesty by holding her hand and attempting to hug her. She resisted, and witnesses passing by noticed the incident. After returning home, she informed her husband, and thereafter the crime is registered against the appellant.
5. Learned Counsel appearing for the Appellant submits that the appellant is innocent and has been falsely implicated in the case. It is further submitted that the false case has been lodged by the police against the appellant on 16.12.2025. The evidence collected by the prosecution are also not *prima facie* sufficient to hold the appellant guilty of the alleged offences. The appellant is in jail since 16.12.2025 and has 08 criminal antecedents, which he details in paragraph 03 of his bail application and the trial is likely to take considerable time for its completion, therefore, the appellant may be released on bail.
6. Learned counsel for the State opposes the prayer for bail, submitting that the victim is a married lady. After his release on bail, the appellant allegedly resumed harassing the prosecutrix. There is sufficient evidence on record against the appellant and the fact that the the appellant has 20 criminal antecedents and looking to his criminal background, the District Magistrate had initiated the proceeding of externment against the accused. However,

charge-sheet has not been filed in this case. Therefore, it is prayed that the appellant may not be granted bail at this stage.

7. I have heard learned Counsel appearing for the parties and perused the record.
8. Considering the entire facts and circumstances of the case particularly the nature and gravity of offence and the material collected and available on record against the appellant and also considering the fact that the appellant has 20 criminal antecedents and looking to his criminal background, the District Magistrate had initiated the proceeding of externment against the accused and also the charge-sheet has not been filed in this case, therefore, at this stage, I do not find it appropriate to release the appellant on bail.
9. Accordingly, the present appeal is **dismissed**.

Sd/-

**(Sanjay Kumar Jaiswal)**  
**Judge**