



2026:CGHC:9896

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Criminal Appeal No.407 of 2026

Surendra Lal Yadav S/o Shri Chhammelal Yadav Aged About 33 Years R/o Ward No.08, Nearby Raiway Cabin Manendragarh, Police Station And Tahsil Manendragarh, District- Manendragarh - Chirmiri- Bharatpur (C.G.)

... Appellant

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Jhagarakhand, District- Manendragarh - Chirmiri- Bharatpur (C.G.)

... Respondent

For Appellant :Shri Ramsajiwan, Advocate.

For Respondent/State :Ms. Priya Sharma, PL.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Judgment on Board

25.02.2026

1. This Criminal Appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (henceforth 'the SC/ST Act') is filed by the Appellant who has been

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arrested in connection with Crime No.189/2025 registered at Police Station Jhagarakhand, District Manendragarh-Chirmiri-Bharapur for the offence under Section 69 of BNS as also under Section 3(2)(v) of the SC/ST Act.

2. The prosecution case, in brief, is that in January 2025, the victim came into contact with the Appellant, who assured her of marriage and developed relations with her. On 15.06.2025, taking advantage of the absence of her family members, the Appellant allegedly established physical relations with her on the pretext of marriage. Subsequently, the victim discovered that the Appellant was already married and the father of two children and he refused to marry her. It is further alleged that despite knowing that the victim belongs to a Scheduled Tribe community, the Appellant induced her into a physical relationship on a false promise of marriage.

3. Learned counsel for the Appellant submits that the Appellant is innocent and has been falsely implicated in the present case, and that he has neither committed nor participated in any act constituting the alleged offences. It is contended that the evidence collected by the prosecution is not *prima facie* sufficient to establish his guilt. He further submits that the victim is a major and married woman and the relationship, as alleged, was consensual and continued for a considerable period without any complaint. It is also argued that the provisions of the SC/ST Act are not attracted, as there is no specific allegation that the offence was committed on the ground of the

victim's caste. It is lastly submitted that the Appellant is in custody since 04.12.2025, the trial is likely to take time and he is a poor person having two minor children dependent upon him, therefore, he deserves to be enlarged on bail.

4. Per contra, learned Counsel for the State strongly opposed the bail application and submitted that the allegations against the Appellant are serious in nature and duly supported by the material collected during investigation. It is contended that the Appellant did not disclose the fact of his marriage, which reflects his conduct. However, it is fairly submitted that the charge-sheet has already been filed.

5. Victim appearing through DLSA, Koriya, also objected to the grant of bail to the Appellant.

6. Having considered the submissions made by learned Counsel for the parties and the documents available on record, further considering that the trial has not yet commenced, this Court is of the opinion that it is not a fit case to grant regular bail to the Appellant, at this stage.

7. Accordingly, the Appeal is **rejected**.

Sd/-
(Sanjay Kumar Jaiswal)
Judge