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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 333 of 2026

1 - Narayan Verma S/o Ramsharan Verma Aged About 50 Years R/o Vill. Pendri, Police Chowki- Sambalpur, P.S.- Nawagarh, Dist.- Bemetara (C.G.).

2 - Chetan Verma S/o Narayan Verma Aged About 25 Years R/o Vill. Pendri, Police Chowki- Sambalpur, P.S.- Nawagarh, Dist.- Bemetara (C.G.) --- **Appellants**

versus

State Of Chhattisgarh Through P.S.- Nawagarh, Dist. Bemetara (C.G.) --- **Respondent**

For appellants	:	Mr. Satyendra Srivas, Advocate
For the State	:	Mr. Akash Agrawal, Panel Lawyer
For the objector	:	Mr. Hemant Kesharwani, Advocate

CRA No. 422 of 2026

1 - Jaleshwar Verma S/o Narayan Verma Aged About 27 Years R/o Vill. Pendri, Police Chowki- Sambalpur, P.S.- Nawagarh, Dist. Bemetara, C.G.

2 - Kuldeep Verma S/o Narayan Verma Aged About 22 Years R/o Vill. Pendri, Police Chowki- Sambalpur, P.S.- Nawagarh, Dist. Bemetara, C.G.

3 - Punaram Verma S/o Devcharan Verma Aged About 51 Years R/o Vill. Pendri, Police Chowki- Sambalpur, P.S.- Nawagarh, Dist. Bemetara, C.G.

4 - Jhamman Verma S/o Narendra Kumar Verma Aged About 25 Years R/o Vill. Jewra (S), Police Chowki- Sambalpur, P.S.- Nawagarh, Dist. Bemetara, C.G. --- **Appellants**

Versus

State of Chhattisgarh through P.S.- Nawagarh, Dist. Bemetara, C.G. --- **Respondent**

For appellants : Mr. Satyendra Srivas, Advocate

For the State : Mr. Akash Agrawal, Panel Lawyer

For the objector : Mr. Aman Upadhyay, Advocate

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

20.02.2026

1. These appeals are filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for grant of anticipatory bail to the appellants as they are apprehending arrest in Crime No. 325/2025 registered at P.S. Nawagarh, District Bemetara (C.G) for the offence punishable under Sections 115(2), 127(2), 190, 191(2), 296, 351(3) of BNS and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. By impugned orders dated 23.01.2026 passed by the learned Special Judge (Atrocities), Bemetara, the applications for grant of anticipatory bail has been rejected, which are under challenge in these appeals. Since both these appeals are relating to same crime number, they are disposed off by this common order.

3. As per the prosecution case, complainant Akshay Kumar Ghivre lodged a written complaint on 28.12.2025 stating that on 26.12.2025 the

present applicants in collusion with other accused hurled caste based abuses against his brother Surya Dev Ghivre and his niece Tekchand, held them hostages and further beaten and threatened to kill them. On the basis of the said report, offence was registered.

4. Learned counsel for the appellants submits that there was resentment between the parties over the JCB work and in this background the incident took place. He submits that there was delay in lodging the FIR, for which, no plausible explanation was given. He further submits that on 29.12.2025 the counter report was also filed by the appellants' party against the complainant-party, however, no FIR was registered against the complainants. He further submits that the offences u/s 115(2), 127(2), 190, 296, 351(3) of BNS are bailable, therefore, the appellants be enlarged on anticipatory bail.

5. Per contra, learned State Counsel as also learned counsel appearing for the objector opposes the prayer for grant of anticipatory bail and submit that named FIR was registered against the appellants and other accused persons namely Narayan Verma, Chetan Verma, Jaleshwar Verma, Kuldeep Verma, Puna Ram, Jhamman Rajput, Mukku Rajput, Dukhit and Rakesh. It is alleged that the accused persons abused the complainant party in the name of cast and assaulted them, due to which, the victims Survy Deo and Tekchand suffered injuries and were admitted in hospital. The allegation of assault further stood firm by the medical report. They further submit that since the FIR discloses the prima-facie allegations of caste based abuses and atrocities, the bar created u/s 18 of the Special Act prohibits the benefit of granting anticipatory bail.

6. The complainant appeared in person before this court and raised objection to granting anticipatory bail.

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

8. In the instant case, named FIR was filed which shows the presence of the present appellants and other accused at the place of occurrence on 26.12.2025 and the accused were holding sticks and rods and abused in the name of caste and assaulted the complainant's brother Surya Dev and his niece Tekchand.

9. If the FIR *prima facie* discloses the commission of an offence,

specifically alleging caste-based abuses and atrocities under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the bar created under Section 18 and 18A of the Act strictly applies, prohibiting the grant of anticipatory bail.

10. Since the FIR at a glance speaks about the acts committed by these appellants along with other accused, it cannot be said that no prima facie case is made out against the appellants, at this stage.

11. Thus having considered the over all facts and circumstances of the case; submissions made by learned counsel for the parties and looking to the bar created under the Special Act, it is not a fit case to grant anticipatory bail to the appellants.

12. Accordingly, these appeals are **rejected**.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao