



2026:CGHC:14936

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRA No. 549 of 2026**

Nandev Gupta S/o Ghura Gupta Aged About 52 Years R/o Village-
Sagobandh, P.S. Babhni, District Sonbhadra (U.P.)

--- Appellant

Versus

The State Of Chhattisgarh Through Station House Officer- Police
Station- Sanawal, District- Balrampur-Ramanujganj C.G.

--- Respondent(s)

CRA No. 618 of 2026

Balkeshwar Gupta S/o Late Shri Ghurasaw Gupta Aged About 65 Years
R/o Village Sago-Bandh P/s Babhni Distt. Sonbhadra U.P. (Father
Name Wrongly Mention In A/1)

---Appellant(s)

Versus

State Of Chhattisgarh Through P.S Sanawal Distt. Balrampur-
Ramanujganj Chhattisgarh.

--- Respondent(s)

CRA No. 707 of 2026

Mukh Lal Gupta S/o Ghura Gupta Aged About 64 Years, R/o Village -
Sagobandh, P.S. Babhni, District -Sonbhadra (U.P.)

---Appellant

Versus

The State Of Chhattisgarh Through Station -House Officer -Police Station -Sanawal, District -Balrampur -Ramanujganj (C.G.)

--- Respondents

CRA No. 750 of 2026

1 - Ramnarayan Gupta S/o Late Shri Mangru Gupta Aged About 53 Years.

2 - Harinarayan Gupta S/o Late Shri Mangru Gupta Aged About 40 Years.

Both are resident of Village Sagobandh P/s Babhni Distr. Sonbhadra UP (India).

---Appellant(s)

Versus

State Of Chhattisgarh Through Police Station Sanawal Distt. Balrampur-Ramanujganj C.G.

--- Respondent/State

Ramsai God (Pw /1) S/o Shri Duniadayal Aged About 45 Years R/o village Talkeshwarpur Chodimudi PS -Sanawal Balrampur C.G.

--- Respondent/Complainant

CRA No. 751 of 2026

Dayashankar Gupta S/o Shri Mukhlal Gupta Aged About 40 Years R/o Village Saagobandh P/s Babhni District. Sonbhadra U. P.

--- Appellant

Versus

State Of Chhattisgarh Through PS-Sanawal, Distt. Balrampur Ramanujganj, Chhattisgarh.

--- Respondent(s)

CRA No. 610 of 2026

1 - Rampyare Gupta S/o Shri Harinarayan Gupta Aged About 32 Years.

2 - Sunil Gupta S/o Ramnarayan Gupta Aged About 35 Years.

Both are R/o-Village- Saagobandh, Police Station Babhni Distt. Sonbhadra U.P.

---Appellants

Versus

State Of Chhattisgarh Through Police Station Sanaval Distt. Balrampur-Ramanujganj C.G.

--- Respondent(s)

For Appellants	:	Mr. Ajay Kumar Mishra & Mr. Rishikant Mahobia, Advocates
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For the State	:	Mr. Jitendra Shrivastava, GA
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(Hon'ble Shri Justice Arvind Kumar Verma)

Order on Board

01/04/2026

1. The instant appeals under Section 14-A (2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 have been filed by the appellants being aggrieved by the impugned orders Annexure A-1 passed by the learned Special Judge SC/ST (Prevention of Atrocities) Act, Balrampur-Ramanujganj C.G, whereby appellants' application filed under Section 483 of the BNSS for grant of bail have been rejected.
2. Earlier appeal of the appellants has been rejected/dismissed by this Court vide order dated 01.12.2025 in CRA No.2221/2025.

3. The appellants have preferred this appeal for grant of regular bail as they are arrested in connection with Crime No.46/2025 registered in Police Station- Sanawal, District Balrampur-Ramanujganj, C.G. for offence punishable under Sections 191(2), 191(3), 190, 296, 351(2), 115(2), 109(1) of BNS 2023 and Sections 3 (1) (R) (S) (G) & 3 (2-5) of the SC ST Act.
4. As per the prosecution case, the victim/complainant Ramsai Gond lodged a report alleging that on 11/08/2025 at about 09:00 AM, he was doing the cultivation work in the agricultural field at that time the accused persons more than 20 in number came there armed with clubs, Axe and sticks and restrained him from doing the work and hurled filthy abuses and assaulted him stating that the field belong to them and also threatened to kill him. Based on report, FIR was registered against the accused persons for the alleged offence/crime.
5. Learned counsel for the appellants submits that appellants/accused have not abused the complainant party whereas on the contrary the complainant party have assaulted the appellants for which an FIR was lodged against them in Crime No.47/2025. The land in question belongs of the appellants. Appellants are in jail since long and conclusion of trial will take some more time, therefore, appellants may be enlarged on bail. In support of his case, he placed before this Court copy of statement of Patwari/witnesses (PW-4 to PW-6) and also supplied the same

to the State Counsel.

6. *Per contra*, learned State Counsel strongly opposes the submission of counsel for the appellants and would submit that the present appellants were present on the spot at the time of alleged incident and they have also participated in crime in question. In the present case, five persons sustained injuries, which are serious in nature. Some of the injured persons have undergone surgical operations due to the said injuries. During the course of investigation, certain wooden sticks and Axe were seized, upon which human blood was detected. Report of the Forensic Science Laboratory (FSL) has also confirmed the presence of human blood on the said articles. He further pointed out that some of the accused persons are having previous criminal antecedent. Hence, appellants are not entitled for grant of bail.
7. I have heard learned counsel for the parties at length and perused the record.
8. Pursuant to order/direction of this Court, victims were appeared before this Court on 30.03.2026 through virtual mode from the concerned DLSA and they raised objection in granting bail to the appellants.
9. It is pertinent to mention here that 06 witnesses have been examined before the trial Court. PW-4/Patwari has admitted in his

Court evidence that at the place of incident, there is a house of accused/Ram Lakhan Gupta. He further admitted that at the place of incident, there is land of the accused persons on which they are in possession. PW-5/Tilak Prasad in his evidence has also admitted the fact that at the place of incident, there is a house of accused/Ram Lakhan Gupta.

10. In view of above facts and evidence of PW-4 & PW-5, it is crystal clear that there is land dispute between the parties and on the date of alleged incident complainant party tried to encroach the land of appellants, due to which, dispute arose between them.
11. Considering the entire facts & circumstances of the case, nature of allegation and dispute, submissions of counsel for the parties, particularly the evidence of PW-4 to PW-6 which shows that there is substantial change in circumstance, therefore, this Court is inclined to allow the the above appeals.
12. Accordingly, appeals are allowed. Impugned rejection orders (Annexure A-1) are hereby set aside. It is directed that appellants shall be released on regular bail upon their furnishing a bail bond in sum of Rs.10,000/- each with one local surety in the like sum to the satisfaction of the Court on the conditions that:-
 - a) Appellants shall appear before trial Court regularly on each and every date, unless exempted from appearance.

b) Appellants shall not, in any manner, tamper with the prosecution witnesses.

c). Appellants 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 them from disclosing such facts to the Court or to any police officer.

d) On the first Sunday of every month, between 11:00 to 12:00 a.m, appellants shall appear before the concerned Police Station during trial.

Certified copy as per rules.

Sd/-
(Arvind Kumar Verma)
JUDGE

J.