



2026:CGHC:15012

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRA No. 731 of 2026**

Santosh Vishwakarma S/o Late Ramlal Vishwakarma Aged About 39 Years
R/o Village Kalmideepa P.S. Kotraroad, District- Raigarh (C.G.) ...

Appellant**versus**

State of Chhattisgarh through the Staiton House Officer, Police Station
Kotraroad, District- Raigarh (C.G.) ...

Respondent

For the appellant : Mr. Nitesh Sahu, Advocate

For the State : Mr. Khulesh Sahu, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)**Order on Board****01/04/2026**

1. This appeal is filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for grant of regular bail to the appellant in Crime No.285/2024 registered at P.S. Kotra Road, District Raigarh for the offence punishable under Sections 64(2)(K) of the Bharatiya Nyaya Sanhita 2023 and Section 92(D) of the Right of Persons with Disabilities Act, 2016 and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. By impugned order dated 23.02.2026 passed by the learned Special Judge, Raigarh (C.G) in Special Criminal Case under the Atrocities Act/35/2024, the application filed by the applicant for grant of regular bail has been rejected. Hence, this appeal.

3. The prosecution case in brief is that the victim who is a 29 year old deaf and dumb woman and is unable to walk properly, was working in the backyard of her house. The accused came there and caught hold of her and forcibly committed sexual intercourse without her consent. The victim pointed towards the house of the accused and took her brother and sister-in-law to the house of accused and after seeing the accused, she indicated through gestures that he is the person who committed the offence.

4. Learned counsel for the appellant submits that there is a previous dispute between the two families of accused and victim and he has been falsely implicated in this case. The medical report does not show any sort of injury on the person of victim. He submits that the appellant is in jail since 02.09.2024; till date out of total 22 witnesses, only the mother has been examined and there is no immediate possibility of disposal of the case, therefore, the appellant may be enlarged on bail.

5. Per contra, learned State Counsel opposes the prayer for grant of bail and supports the order of the trial Court. He submits that the victim is deaf and dumb and belonged to special caste. Further she has supported the prosecution case in her statement recorded u/s 183 of BNSS.

6. The victim along with her parents has appeared through VC from the concerned DLSA and the parents have objected to grant bail.

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

8. Having considered the submissions made by the parties and the overall facts and circumstances of the case, I am of the opinion that it is not a fit case to release the appellant on bail. Accordingly, the appeal is rejected.

9. However, looking to the long custody period of the applicant, the trial Court is directed to conclude the trial as early possible preferably within a period of 5 months.

10. Registry shall send a copy of this order to the trial Court for information.

**Sd/-
(Sanjay Kumar Jaiswal)
Judge**

Rao

