



2026:CGHC:15133

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 719 of 2026

Sanjay Kumar Nishad S/o Sewakram Nishad Aged About 29 Years R/o
Mangaludeepa P.S. Kotra Road District- Raigarh (C.G.) ... **Petitioner**

versus

State of Chhattisgarh *through* Thana In-Charge Mahila Thana District
Raigarh (C.G.) ... **Respondent**

For the appellant	:	Mr. Rajendra Tripathi, Advocate
For the State	:	Mr. Aman Tamrakar, Panel Lawer

(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 who has been arrested in Crime No. 47/2025 registered at P.S. Mahila Thana, District Raigarh (C.G) for the offence punishable under sections 69 of B.N.S. and section 3(2)(v) of Scheduled castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. By impugned order dated 25.02.2026 passed by the learned trial Court the application filed by the applicant for grant of regular bail has been rejected, which has been challenged in this appeal.

3. The prosecution case in brief is that the victim had lodged the report stating that she and accused came to be acquainted with each other and in November 2022 she rejected his marriage proposal for the reason that she belonged to special caste and the appellant belonged to a different caste. However, after the victim being convinced by the appellant, she agreed to marry him. On 22.11.2023, the applicant took her to his house and for the first time committed forcible sexual intercourse without her consent and thereafter on multiple occasions, the victim was subjected to sexual intercourse on the pretext of marriage. Again on 21.12.2025, when no one was in victim's house, he came to her home and had physical relations with her promising to marry her. When she insisted on marriage, he began to evade the issue and refused to marry her saying that she belonged to a lower caste. On that report, the crime was registered and the appellant was arrested.

4. Learned counsel for the appellant submits that there was love affair between the appellant and prosecutrix since 2022; she is a major lady of 25 years and the appellant has been roped in a false case by projecting concocted story. He further submits that compromise has been arrived at between the parties and till date, charge sheet has not been filed. He submits that the appellant is in jail since 18.02.2026 and there is no immediate possibility of disposal of trial, therefore, he may be enlarged on bail.

5. Per contra, learned State Counsel opposes the prayer for grant of bail and supports the impugned order of the trial Court. He submits that before the trial Court the victim has raised objection to granting bail and she has also disputed the alleged compromise-form/affidavit. He submits that the

victim belonged to special caste and the appellant was having continuous physical relations with her since 2023 on the false pretext of marriage and when she insisted upon marriage, he refused her on the ground that she belonged to a lower caste, therefore, the ingredients of section 3(2)(v) of the Special Act are attracted in this case. He submits that the charge sheet has been filed; the victim is yet to be examined and the trial is in progress.

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

7. Having considered the submissions made by the parties and looking to the over all facts situation of the case, it is not a fit case to release the appellant on regular bail, at this stage. Accordingly, this appeal is **rejected.**

Sd/-

(Sanjay Kumar Jaiswal)
Judge

Rao