



2026:CGHC:28229



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 1538 of 2026**

1 - Deepak Nishad S/o Mahettar Nishad Aged About 27 Years
R/o Village Binoura Police Station Dabhra District Sakti C.G.

... Appellant**versus**

1 - State Of Chhattisgarh Through- The Station House Office
Police Of Police Station Dabhara District Sakti C.G.

... Respondent

For Appellant : Mr. Vivek Singhal, Advocate.

For Respondent/State : Mr. Rohitashva Singh, Dy. G.A.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order On Board****08/07/2026**

1. This appeal is filed under Section 14-A(2) of the SC & ST (Prevention of Atrocities) Act, 1989 for grant of regular bail to the appellant as he is arrested in connection with Crime No. 405/2025 registered at police station Dhabhara, District Sakti (C.G.) for commission of offence punishable under Section 69 of BNS, 2023 and Section 3(2)(Va) of SC & ST (Prevention of Atrocities) Act.
2. As per the case of the prosecution, on 07.10.2024, the victim's birthday of the victim, on the same day, the appellant came to her house at about 9:00 pm, and she



was alone at home. The appellant told her that he would marry her soon and forcibly had physical relations with her, and after that, he went to his house. The appellant used to come to her house from time to time, and after saying that he would marry her, he would forcibly have physical relations with her. When she asked him to marry her, the appellant refused to marry her, saying that he would not marry her. Based on the above, offence was registered against the Appellant.

3. By order dated 13.05.2026 passed by the learned Special Judge in Crime No. 405/2025, the bail application filed by the appellant has been rejected against which the appellant has filed this second CRA (appeal).
4. The first CRA of the appellant had been dismissed as withdrawn on 26.02.2026 in CRA No. 367/2026.
5. Learned Counsel appearing for the Appellant submits that the appellant is innocent and has been falsely implicated in the case. He further submits that the victim and her mother have been examined before the trial Court and they have not supported the case of the prosecution. He lastly submits that the appellant is in jail since 28.11.2025, and the trial is likely to take considerable time to be finalised, as only 9 witnesses out of 19 have been examined till date, therefore, it is prayed that the appeal may be allowed and the appellant may be released on bail.
6. On the other hand, learned Counsel appearing for the State opposes the bail application.
7. The victim appeared through V.C. from the concerned DLSA and recorded no objection to grant of bail to the appellant.



8. I have heard learned Counsel appearing for the parties and perused the documents available on record.
9. Considering the circumstances of the case and further looking to the Court statement of the victim and considering the fact that the appellant is in jail since 28.11.2025, and the trial is likely to take some time to be finalized, without further commenting on the merits of the case, this Court is of the opinion that it would be appropriate to release the appellant on bail.
10. Accordingly, the appeal is **allowed** and the impugned order dated 13.05.2026 passed by the learned Trial Court is set-aside.
11. It is directed that the appellant shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Sanjay Kumar Jaiswal)
Judge