



2026:CGHC:8338



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 236 of 2026

Lalan Jaiswal S/o Sadhucharan Jaiswal Aged About 75 Years
Residence Of Village - Chandi P.S. Chalgali District Sarguja Now
District Balrampur-Ramanujganj (C.G.) (Age Wrongly Mentioned As 30
Years In Order Impugned)

... Appellant

versus

State Of Chhattisgarh Through Station House Officer, P.S. AZAK
Ambikapur District Sarguja (C.G.)

... Respondent

For Appellant	: Mr. Sunil Tripathi, Advocate
For Respondent/State	: Mr. Siddhant Tiwari, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

16.02.2026

1. The victim along with her brother appeared before this Court today through virtual mode from the concerned DLSA and expressed no-objection in granting anticipatory bail to the appellant.
2. This appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the SC/ST Act") has been preferred by the appellant



against the order dated 12.12.2025 passed by the Special Judge (Atrocities), Ambikapur, District Sarguja (C.G.) whereby the anticipatory bail application filed by the appellant in respect of Crime No.144/1998 registered at Police Station AZAK Ambikapur for the offence punishable under Sections 376(2) (g), 450 of IPC and Section 3 (1)(12) of the SC/ST Act has been rejected.

3. As per the prosecution case, on 03.09.1998 at about 6 p.m., the appellant along with co-accused Lalji Yadav entered into the house of prosecutrix who is a member of Scheduled Tribe and committed gang rape with her. The appellant has been absconding since the date of incident and charge sheet was filed against co-accused Lalji Yadav. The trial against co-accused Lalji Yadav concluded on 30.10.2020. The anticipatory bail application filed by the appellant was rejected by the trial Court vide order dated 12.12.2025. Now, the appellant has filed this appeal for grant of anticipatory bail apprehending his arrest in connection with the said offence.
4. Learned Counsel appearing for the Appellant submits that the appellant is innocent and has been falsely implicated in the case. He submits that the police filed the Challan declaring the appellant an absconder, whereas the appellant remained present in his village throughout the period serving as the elected Panch of Gram Panchayat Belsar from 2010 to 2015. His name was also recorded in the Rojnamacha dated 17.07.1998. Between 2008 and 2012, the appellant was participating in a pending civil suit. Now, the appellant is 74–75 years old and suffers from multiple age-related infirmities, including diabetes, hypertension, and heart and kidney complications. Therefore, considering all these facts, anticipatory bail should be granted to the appellant.



5. On the other hand, learned counsel for the State opposes the said prayer and submits that in all the documents submitted by the appellant, his father's name is mentioned as Narbadeshwar, whereas in the original case, his father's name is mentioned as Sadhucharan. The FSL report is positive, the appellant is the main accused and he has been absconding for about 27 years. Co-accused Lalji has been convicted by the trial Court. Considering all these facts and the nature of offence, the appellant is not eligible for grant of anticipatory bail. Hence, the appeal should be dismissed.
6. Heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the entire facts and circumstances of the case, particularly the nature and gravity of offence and the material collected and available on record against the appellant, this Court does not find any error or illegality in the impugned order passed by the trial Court.
8. Accordingly, the present appeal stands **dismissed**.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE