2025:CGHC:58179

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2224 of 2025

Ashok Kumar S/o Ramnath Aged About 40 Years R/o Village Sagobandh, P.S. Babhni, District Sonbhadra (U.P.)

... Appellant

versus

State of Chhattisgarh Through The Station House Officer, P.S. Sanawal, District - Balrampur-Ramanujganj Chhattisgarh

... Respondent

For Appellant	:	Mr. Suresh Kumar Verma, Advocate
For State /Respondent	:	Mr. Ajit Singh, GA along with Ms. Priya Sharma, Panel Lawyer
For Complainant	:	Mr. Sunil Tripathi, Advocate

(Hon'ble Shri Justice Arvind Kumar Verma)

Order on Board

01/12/2025

1. The instant appeal under Section 14-A (2) of the Schedule Caste and Schedule Tribe Prevention of Atrocities Act, 1989 has been filed by the appellant being aggrieved by the impugned order dated 15/09/2025 passed by the learned Sessions Judge, Balrampur Place Ramanujganj, C.G. in Bail Application No.506/2025 whereby the application under Section 483 of B.N.S.S. of the appellants has been rejected.

ASHUTOSH MISHRA
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2. The appellant has preferred this appeal for grant of regular bail as he is arrested in connection with Crime No.46/2025 registered in Police Station Sanwal, 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 under Sections 3 (1) (R) (S) (G) & 3 (2-5) of the SC ST Act.

3. As per the prosecution case, the victim/complainant Ramsai Gond, lodged a report alleging that on 11/08/2025 at about 9 AM the complainant was doing the cultivation work in the agricultural field at that time the accused persons more than 20 in number came armed with club, axe, stick and restrained the complainant from doing work and hurled filthy abuses and assaulted him and stated that the field belong to them and also threatened to kill him. Thereafter, on the basis of the same an FIR was registered and the appellant was arrested.

4. Learned counsel for the appellant would submit that he has not abused the complainant party whereas on the contrary the complainant assaulted the appellant for which an FIR was lodged in Crime No.47/2025. He would next contend that the land in question belongs of the appellant. He would lastly contend that the appellant is lodged in jail and the trial will take some more time, therefore, he may be enlarged on bail.

5. *Per contra,* learned State counsel opposes the prayer for grant of bail, and would submit that the present appellant was present on the spot at the time of incident and have participated in the assault.

6. Learned counsel for the complainant opposes the prayer for grant of bail.

7. I have heard learned counsel for the parties at length and perused the record.

8. Considering the entire facts & circumstances of the case and the role played by the appellant as he was present on the spot at the time of incident further as such, there is direct involvement of the present appellant in the assault. Thus, considering the same and the role played by the appellant as he has actively participated in the assault, I am not inclined to allow this appeal and release the appellant on bail.

9. Accordingly, the instant CRA is dismissed.

SD/-

(Arvind Kumar Verma)
JUDGE

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