



HIGH COURT OF CHHATTISGARH, BILASPUR

2025:CGHC:31866-DB

Order Sheet

Criminal Appeal No.1014 of 2015

Baishakhu, S/o Ramdas Baiga, aged about 20 years, R/o Village Shitalpani, Police Station Chilphi, Civil and Revenue District Kabirdham (CG).

---Appellant

Versus

State of Chhattisgarh, through Police Station Chilphi, Civil and Revenue District Kabirdham (CG).

--- Respondent

24/01/2019	Mr. Govind Dewangan, Advocate for the appellant. Ms. Sunita Jain, Govt. Advocate for the State/respondent. Heard on I.A. No.1/2018 application for suspension of sentence and grant of bail. The appellant has been convicted for the offence punishable under Section 302 of Indian Penal Code and sentenced to undergo RI for life vide order dated 08.05.2015 passed by the Court of Sessions Judge, Kabirdham (Kawardha) in Sessions Case No.10/2015. The first application (I.A.No.2/2016) for suspension of sentence and grant of bail was rejected by this Court vide order dated 25.11.2016 at the motion stage. Now, the record of the trial Court is available. We have gone through the record and perused the material available on the record. The prosecution case is based on circumstances evidence. Looking to the facts and circumstances of the case and the evidence available on record <i>prima facie</i>, we are of the opinion that the chain of circumstances in the case in hand is not complete and is a weak piece of evidence. We are of the considered opinion that it is a fit case where the application can be allowed now. Consequently, I.A. No.1/2018 is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum



of Rs.25,000/- with one personal bond in the like sum to the satisfaction of the concerned Trial Court, he shall be released on bail and execution of the jail sentence shall remain suspended during the pendency of this appeal.

I.A. No.2/2018 is accordingly disposed of.

Let this matter be listed for final hearing in due course.

Sd/-

(P. Sam Koshy)
JUDGE

Sd/-

(Sharad Kumar Gupta)
JUDGE