

HIGH COURT OF CHHATTISGARH, BILASPUR



2026:CGHC:12654

CRA No. 334 of 2016

- Vimlesh Dewanagan S/O Anand Ram Aged About 42 Years Occupation Labour, R/O Village Ragda, Police Out Post Basdei, P.S. Surajpur, District Surajpur, Civil & Revenue District Surajpur, Chhattisgarh.

---- Appellant

Versus

- The State Of Chhattisgarh Through S.H.O., Aadiwasi Kalyan Thana, Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

10/03/2016	Shri A.K.Prasad, counsel for the appellant. Shri Rahul Tamaskar, P.L. for the State. Heard on admission. Admit. Call for the records of the court below. Also heard on I.A. No.01, application for suspension of sentence and grant of bail. By the impugned judgment dated 28.01.2016 passed by the Special Judge SC/ST (Prevention of Atrocities Act) Surajpur, district Surajpur in Special Sessions Trial No.36/2014 the accused/appellant stands convicted under Section 325 IPC and sentenced to undergo RI for two years and fine of Rs. 500/- with default stipulation. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to the appellant is of one year. He submits that during trial the appellant was on bail and even after pronouncement of judgment impugned he has been granted bail. He further submits that the appeal is likely to take sometime for its	



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final disposal therefore he may be released on bail.

On the other hand, counsel for the State opposes the bail application.

Considering the totality of the fact in particular the short sentence awarded to the appellant, without further commenting on merits, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant.

Accordingly, the application is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-

Pritinker Diwaker
Judge