



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 274 of 2026

1 - Samaru @ Somaru Ekka S/o Jagbahadur Uron, Aged About 55 Years, R/o Petla Damgda P.S. Sitapur Distt- Sarguja (C.G.) (Wrongly Mentioned As Surajpur In The Impugned Judgment).

... Appellant

versus

1 - State Of Chhattisgarh Through- Arakshi Kendra Sitapur, District- Sarguja (C.G.).

... Respondent

Order Sheet

06/02/2026	Mr. Vidya Bhushan Soni, Advocate for the Appellant. Ms. Laxmeen Kashyap, P.L. for the State/respondent. Heard on admission. Admit. Also heard on I.A. No. 01/2026, application for suspension of sentence and grant of bail. By the impugned judgment dated 13.01.2026 passed by the 07th Additional Sessions Judge, Ambikapur (Sarguja), District - Sarguja (C.G.) in Sessions Case No. 150/2025, the appellant has

been convicted and sentenced as under:-

Conviction	Sentence
U/s 109(1) of BNS.	Imprisonment for 05 years and fine of Rs. 5,000/-, in default of payment of fine amount additional imprisonment for 01 year.

Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in the case. He further submits that the appellant and the victim/injured are real brothers and there was a land dispute between them; the property belongs to the appellant and was being illegally ploughed by the injured, leading to an altercation. He next submits that the injuries sustained by the victim are simple in nature. The appellant, aged about 60-70 years, is currently in jail since 13.01.2026 and had been in jail from 21.06.2025 to 01.07.2025 during the trial. Given that the disposal of this appeal is likely to take considerable time, the appellant may be enlarged on bail.

On the other hand, learned State counsel opposes the submission made by learned counsel for the appellant, submitting that there was no previous enmity between the applicant and the victim, therefore, considering the nature and gravity of the offence, the applicant should not be

released on bail.

I have heard learned counsel appearing for the parties.

Considering the facts and circumstances of the case, nature and gravity of the offence and the evidence available on record against the applicant, at this stage, I am not inclined to suspend the jail sentence and release the appellant on bail.

Accordingly, I.A. No. 01/2026 is **rejected**.

List this case for final hearing in the month of April, 2026.

Sd/-
(Sanjay Kumar Jaiswal)
Judge