



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

I.A. No. 1 of 2022***In Re:*****CRA No. 280 of 2022**

- Dipak Kumar @ Anand Kumar Dhanuvar S/o Late Panchram, Aged About 21 Years Resident Of Village Nawagaon, Thana Nagrada, District Janjgir Champa Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Nagarda, District Janjgir Champa Chhattisgarh

---- Respondent

(Cause-title taken from Case Information System)

4/5/2023	Notice is served on the victim, but none appeared. By the impugned judgment of conviction and order of sentence dated 5.8.2021, the Special Judge (Fast Track, Special Court), Sakti, District Janjgir-Champa in Special Criminal Case No.20/2019, has convicted the appellant for the offence punishable under Section 342 read with Section 34 of the IPC and sentenced to undergo RI for 6 months and pay fine of Rs.500/-, in default of payment of fine to undergo SI for one month, and under Section 4 of the POCSO Act and sentenced to undergo RI for 20 years and pay fine of Rs.10000/-, in default, SI for 6 months. Heard Mr. NK Malviya, learned counsel for the appellant and Mr. Avinash Singh, Panel Lawyer, appearing for the State/respondent on the



instant application for suspension of sentence and grant of bail (I.A. No.01 of 2022).

Learned Counsel for the convict/appellant has argued that since the appellant is in jail since last four years and the the appeal is likely to take some more time for its conclusion, the appellant has filed the instant application for suspension of sentence and grant of bail.

On the other hand, Mr. Avinash Singh, learned Panel Lawyer, opposed and submitted that the victim is a minor girl aged about 15 years one month and she has deposed against the appellant. Therefore, the application for grant of bail deserves to be rejected.

We have heard learned counsel for the parties and perused the records of the Court below.

Considering the nature of allegation and evidence against the appellant, who has raped a minor girl aged about 15 years, we are not inclined to grant bail to the appellant.

Accordingly, IA No. 1 of 2022 is rejected.

It transpires from the record that the matter is ripe for final hearing.

Let the matter be listed for final hearing.

Sd/-

(Deepak Kumar Tiwari)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice