



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 408 of 2026SHIVAM @ KILVISH ADHIKARI **versus** STATE OF CHHATTISGARH**Order Sheet**

27/02/2026	Mr. Sanjay Kumar Sahu, counsel for the appellant. Mr. Akash Agrawal, Panel Lawyer, for the State. Heard on I.A.No.1 for suspension of sentence and grant of bail to the appellant. By impugned judgment dated 14.08.2025 passed in Spl. Criminal Case (POCSO Act) No. 107/2023 by the learned , 2nd Fast Tract Special Court (POCSO Act) , Bilaspur the appellant stood convicted and sentenced as under: <table border="1" data-bbox="555 1326 1441 1727"> <tr> <td data-bbox="555 1326 847 1451">U/s 341 of IPC</td><td data-bbox="847 1326 1441 1451">SI for 1 month and fine of Rs.500/-, in default of payment of fine, additional SI for 15 days</td></tr> <tr> <td data-bbox="555 1451 847 1727">u/s 7/8 of the Protection of Children from Sexual Offences Act</td><td data-bbox="847 1451 1441 1727"> RI for 3 years and fine of Rs.500/-, in default of payment of fine, additional RI for 15 days Sentences have been directed to run concurrently </td></tr> </table> Learned counsel for the appellant submits that the conviction has been placed only on sole testimony of Prosecutrix (P.W.1) which consists of contradictions and improvements, therefore, her evidence cannot be taken as basis for conviction. He submits that during trial the	U/s 341 of IPC	SI for 1 month and fine of Rs.500/-, in default of payment of fine, additional SI for 15 days	u/s 7/8 of the Protection of Children from Sexual Offences Act	RI for 3 years and fine of Rs.500/-, in default of payment of fine, additional RI for 15 days Sentences have been directed to run concurrently
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Rao	appellant was in jail for 56 days and thereafter, he is in jail since the date of judgment i.e., 14.08.2025. He next submits that there is no possibility of appeal being heard immediately, therefore, the substantive jail sentence of the appellant be suspended. Per contra, learned State Counsel opposes the suspension application and submits that there are 9 other criminal cases pending against the appellant and looking to the past antecedents, the appellant may not be granted bail. The complainant is present in person before this Court and has expressed no-objection to grant bail. Having heard learned counsel for the parties and looking to the criminal back-ground of the appellant, it would not be appropriate to allow the suspension application. Accordingly, I.A.No.1 is rejected. List the case for final hearing after two weeks. Sd/- (Sanjay Kumar Jaiswal) Judge
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