

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 357 of 2022**

- Sundar Dhruv S/o Shri Santosh Kumar Dhruv Aged About 19 Years Resident Of Village Datranga, Police Station Mujgahan, District Raipur, Chhattisgarh.

---- Petitioner**Versus**

- The State Of Chhattisgarh Through Station House Officer, Police Station Patan, District Durg, Chhattisgarh.

---- Respondent

1/4/2022	Mr. AC Sahu, Counsel for the appellant. Ms. Sudha Shrivatava, Panel Lawyer for the State. The prosecutrix/victim appears along with her parents before this Court. Heard on IA No.1, an application for suspension of sentence and grant of bail to the appellant. This appeal arises out of the judgment of conviction and sentence dated 8.2.2022 passed in Special Sessions Case (POSCO Act) No.46/2021 by the Additional Sessions Judge, Third Fast Track Special Court (POSCO Act), Durg, District Durg (CG). The appellant has been convicted under Section 354-B of the IPC and sentenced to undergo RI for 3 years and pay fine of Rs.2000/-, in default of payment of fine to further undergo RI for 2 months. Learned counsel for the appellant submits that the appellant has a very good <i>prima facie</i> case in his favour. He submits that the appellant was on bail during trial and has not misused the liberty granted to him,	

therefore, he prays for suspending the jail sentence imposed against the appellant and release him on bail.

Learned counsel for the State opposes the bail application.

The prosecutrix/victim appearing along with her parents before this Court also opposes the bail application.

Having considered the submissions of learned counsel for the parties and also considering the short term of sentence awarded to the appellant, I am of the opinion that present is a fit case to suspend the jail sentence imposed against the appellant and release him on bail.

Accordingly, the application is allowed.

Execution of the substantive jail sentence imposed on the appellant shall remain suspended during the pendency of the appeal and he is directed to be released on bail on his furnishing a personal bond for a sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall mark his appearance before the Court below **on 29th of April 2022** and thereafter, shall continue to appear there on all such subsequent dates as are given to him by the said Court, till the disposal of this appeal.

In addition, the appellant is directed not to communicate / contact in any manner with the prosecutrix or her family members.

List the matter for final hearing in due course.

Certified copy as per rules.

Sd/-

(Deepak Kumar Tiwari)
Judge

--	--	--