



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 544 of 2024

1 - Shankar Baghel S/o Sitaram Baghel Aged About 23 Years R/o Village Homaras P.S. Kukanar Distt. Sukuma (C.G.)

... Appellant(s)

versus

1 - State Of Chhattisgarh Through P.S. Kukanar Distt. Sukuma (C.G.)

... Respondent(s)

Order on Board

26/09/2025	Ms. Indra Tripathi, learned counsel for the appellant. Mr. Pranjal Shukla, Panel Lawyer for the Respondent / State. Heard on I.A. No. 01/2025 which is a repeat application for suspension of sentence and grant of bail to the appellant. By the impugned judgment of conviction and sentence dated 27.02.2024 passed in Sessions Trial No. 94/2019 by the court of learned Sessions Judge, South Bastar, Dist- Dantewada,
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the appellant has been convicted and sentenced as under:-

S. No.	Conviction	Sentence
1.	U/s 148 of IPC	R. I. For 01 year and fine of Rs. 500/-, in default of payment of fine, further R.I. for 01 month.
2.	U/s 307 of IPC	R. I. For 07 year and fine of Rs. 2000/-, in default of payment of fine, further R.I. for 04 months.
3.	U/s 450 of IPC	R. I. For 03 years and fine of Rs. 1000/-, in default of payment of fine, further R.I. for 02 months.
(All sentences shall run concurrently)		

Learned counsel for the appellant would submit that the appellant has already served about 01 year, 10 months and 12 days of his jail sentence. The maximum sentence awarded to the appellant is of 07 years under Section 307 of IPC. There is material discrepancies in the evidence of PW/5 and PW/6. There is no possibility of early disposal of criminal appeal and therefore, he may be enlarged on bail.

On the other hand, the learned counsel for the State opposes and has submitted that vide order dated 21.04.2025, this Court has rejected the first bail application of the appellant on merits. The matter has been listed for final hearing and therefore, the appellant is not entitled for bail.

I have heard learned counsel for the parties and perused the record.

Considering the submission made by learned counsel for the parties, considering the evidence of PW/5 and PW/6 and also the PW/20 and the injury report of the victim, I do not find any change in circumstance or any ground to release the appellant on

bail as his first application for suspension of sentence and grant of bail has already been rejected on 21.4.2025 on merits and the matter has already been listed for final hearing.

Consequently, the second application I.A. No. 01 of 2025 is Rejected.

List this case after 03 weeks for final hearing.

Sd/-

(Ravindra Kumar Agrawal)
Judge