



HIGH COURT OF CHHATTISGARH AT BILASPUR

Criminal Appeal No.693 of 2026

Rahul Prajapati @ Harishankar Prajapati S/o Ashish Prajapati Aged About 20 Years R/o Nearby Gaytri Mandir Sakri, P.S. Sakri, District Bilaspur, Chhattisgarh. **... Appellant**

versus

State Of Chhattisgarh Through P.S. Sakri, District Bilaspur, Chhattisgarh. **... Respondent**

Order Sheet

01/04/2026	Shri Sanjay Kumar Sahu, counsel for the Appellant. Smt Binu Sharma, PL for the State. Heard on IA No.01/2026, an application for suspension of sentence and grant of bail. The accused/Appellant has been convicted vide judgment of conviction and order of sentence dated 30.01.2026 passed by the Additional Sessions Judge 1st Fast Track Special Court (POCSO Act), Bilaspur in

Special Criminal POCSO Case No.02/2025 for the following offences and sentenced as under:-

Conviction	Sentence
Under Section 74 BNS	RI for 3 years with fine of Rs.500/- and in default, additional RI for 1 month.
Under Section 7/8 of POCSO Act	RI for 3 years with fine of Rs.500/- and in default, additional RI for 1 month.

Both the sentences were ordered to run concurrently.

Learned counsel for the Appellant submits that the maximum sentence awarded to the Appellant is 3 years. It is further submitted that during the course of trial, the Appellant remained in custody for a period of about 9 months and is presently on bail. It is also submitted that there are material contradictions in the testimony of the victim, the Appeal is not likely to be heard in the near future and its final disposal is likely to take considerable time, therefore, the sentence imposed upon the Appellant may be suspended.

On the other hand, learned State counsel opposes the bail application.

Despite service of notice, victim did not appear today.

Considering the facts and circumstances of the case, the submissions advanced by learned Counsel for the parties and further taking into account that the

Appeal is likely to take considerable time for its conclusion and further considering that the Appellant is presently on bail and in view of the custodial period already undergone, this Court, without expressing any opinion on the merits of the case, is inclined to suspend the sentence imposed upon the Appellant.

Accordingly, IA No.01/2026 is **allowed** and it is directed that the substantive jail sentence imposed upon the Appellant shall remain suspended during the pendency of the Appeal on his furnishing a personal bond of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the Registry on **15th of June, 2026** and thereafter before the concerned Court below on all such dates as may be given to him till final disposal of this Appeal.

Post the matter for final hearing after 6 weeks.

Sd/-
(Sanjay Kumar Jaiswal)
Judge