



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 788 of 2026

- Rohit Bharti S/o Ramdulare Bharti Aged About 18 Years R/o Krishna Nagar Police Station Supela District- Durg (C.G.)

... Appellant

versus

- State of Chhattisgarh Through- Police Station Supela, District- Durg (C.G.)

... Respondent

CRA No. 1019 of 2026

1. Santosh Prasad @ Takla S/o Lakshman Prasad Aged About 20 Years R/o Krishna Nagar Near Shiv Mandir PS Supela District- Durg (C.G.)
2. Rohit Bharti S/o Ramdulare Bharti Aged About 18 Years R/o Krishna Nagar, PS Supela, District- Durg, (C.G.)

... Appellants

versus

- State of Chhattisgarh Through SHO PS Supela, District- Durg (C.G.)

... Respondent

Order Sheet

22/04/2026	Mr. Siddharth Pandey, counsel for the appellant in CRA No.788/2026. Mr. Sumit Singh Deputy A.G. for the State/respondent in CRA No.788/2026. Mr. Aman Pandey, counsel for the appellants in CRA
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	1019/2026. Mr. Afroz Khan, Panel Lawyer for the State/respondent In CRA No.1019/2026. Learned counsel for the appellants appearing in CRA No.1019/2026 submits that appellants - Santosh Prasad @ Takla and Rohit Bharti have filed the said appeal, apart from this, appellant No.2 - Rohit Bharti has already preferred a separate appeal i.e. CRA No.788/2016, therefore, he prays to delete the name of appellant No.2 – Rohit Bharti from the cause title of CRA No.1019/2026. In view of the above, learned counsel for the appellants is permitted to delete the name of appellant No.2 from the array of appellants in CRA No.1019/2026 during the course of the day. Heard on admission. Admit. Since both the criminal appeals arise out of Sessions Trial No.145/2024, they are being heard together on I.A. Nos.01/2026 (in CRA No.788/2026 & CRA No.1019/2026), application for suspension of sentence and grant of bail to the appellants under Section 430 of the BNSS. By the impugned judgment dated 24.02.2026 passed by the learned 1st Additional Sessions Judge, Durg, District Durg (C.G.) in Sessions Trial No.145/2024, appellant – Santosh Prasad @ Takla has been convicted for the offence under Sections 392 & 397 of Indian Penal Code (for short,
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‘IPC’) and sentenced to undergo rigorous imprisonment for five years with a fine of Rs.500/- each, and further convicted under Sections 25 and 27 of the Arms Act and sentenced to undergo rigorous imprisonment for two years with a fine of Rs.500/- and 3 years and fine of Rs.500/- respectively. In default of payment of fine, the appellant Santosh Prasad shall further undergo additional rigorous imprisonment for three months for each offence; whereas Appellant – Rohit Bharti has been convicted under Section 392 of the IPC and sentenced to undergo rigorous imprisonment for five years with a fine of Rs.500/- each, in default of payment of fine, the appellant Rohit shall further undergo additional rigorous imprisonment for three months.

Learned counsel for the appellants submit that the learned trial Court has not properly appreciated the evidence available on record while holding the appellants guilty. It is further submitted that during trial, the appellants remained in custody from 18.02.2024 to 06.05.2024 and, after passing of the impugned judgment dated 24.02.2026, they are in custody till date. They also submit that during the trial, the appellants were on bail and did not misuse the liberty granted to them. They further submit that the final disposal

of the appeal is likely to take considerable time. Therefore, it is prayed that the substantive jail sentence of the appellants be suspended till the final disposal of the appeal.

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

Considering the facts and circumstances of the case, the detention period of the appellants and further considering the fact that during trial, the appellants were on bail and did not misuse the liberty granted to them and that disposal of the appeals are likely to take some time, without expressing any opinion on the merits of the case, I am of the opinion that present are fit cases to suspend the jail sentence imposed upon the appellants and to release them on bail.

Accordingly, I.A. Nos. 01/2026 (in CRA No.788/2026 & CRA No.1019/2026) are allowed. It is directed that the substantive jail sentence imposed upon the appellants shall remain suspended till final disposal of the cases on their executing a personal bond for a sum of Rs.25,000/- each with one surety for the like sum to the satisfaction of the concerned trial Court for their appearance before the Registry of this Court on 21st July, 2026. They shall

thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the concerned trial Court on all such subsequent dates as are given to them by the said Court till disposal of the appeals.

List both the cases for final hearing in due course.

Sd/-

(Radhakishan Agrawal)
Judge

Priyanka