

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 667 of 2022

Rajkumar Banjare S/o Hira Ram Banjare, Aged About 45 Years R/o Village Kharha, P.S. Takhatpur, District Bilaspur Chhattisgarh.

---- Appellant

Versus

State Of Chhattisgarh Through P.S. Takhatpur, District Bilaspur Chhattisgarh.

---- Respondent

10/05/2022	Shri M.K. Beg, counsel for the appellant. Shri Shivnath Shrivastava, P.L. for the State. Heard on I.A. No.1 of 2022, application under Section 389(2) of Cr.P.C. for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 26/03/2022 passed by the Additional Session Judge, II Fast Track Special Court Bilaspur (C.G.) in Special Criminal Case (POCSO Act) No.113/2020, the appellant stands convicted and sentenced as under :- <table><tr><th>Conviction</th><th></th><th>Sentences</th></tr><tr><td>Under Section 354 of IPC</td><td></td><td>R.I. for three years and fine of Rs.1,000/-, in default of payment of fine additional imprisonment for 6 months</td></tr><tr><td>Under Section 7/8 of Protection of Children from Sexual Offence Act</td><td></td><td>R.I. for three years and fine of Rs. 1000/-, in default of payment of fine additional imprisonment for 6 months.</td></tr></table>		Conviction		Sentences	Under Section 354 of IPC		R.I. for three years and fine of Rs.1,000/-, in default of payment of fine additional imprisonment for 6 months	Under Section 7/8 of Protection of Children from Sexual Offence Act		R.I. for three years and fine of Rs. 1000/-, in default of payment of fine additional imprisonment for 6 months.
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Under Section 7/8 of Protection of Children from Sexual Offence Act		R.I. for three years and fine of Rs. 1000/-, in default of payment of fine additional imprisonment for 6 months.									

		Both the sentences are run concurrently.
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Father of the prosecutrix appeared before this Court and stated that he has no objection to release the appellant on bail.

Looking to the entire evidence of the prosecution, maximum sentence awarded to the appellant is three years and he is in custody for two months and twelve days, disposal of the appeal is likely to take some time, without further commenting on merit, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant and to release him on bail.

Accordingly, the application (I.A. No.1 of 2022) is allowed.

It is directed that the execution of substantive jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the trial Court. He shall appear before the Registry of this Court on **25th August, 2022** and thereafter shall appear before the trial Court on a date to be given by the Registry and shall continue to appear there on all such dates as are given to him by the said Court till disposal of this appeal.

List this appeal for final hearing in due course.

Kamde

Sd/-
(Gautam Chourdiya)
JUDGE