



2026:CGHC:3765-DB

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 803 of 2022

Bhupendra Netam @ Bhumendra, S/o. Manthir Netam, Aged About 19 Years, R/o.
Village - Parsoda, Thana - Balod, District : Balod, Chhattisgarh

---- Appellant

Versus

State Of Chhattisgarh, Through Thana - Balod, District : Balod, Chhattisgarh

---- Respondent

21.11.2022	Mr. Samir Singh, Advocate for the Appellant. Mr. Afroz Khan, Panel Lawyer for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant stands convicted by the judgment dated 29.04.2022 passed by the learned Court below in Sessions Trial No.30/2019 for the offence under Section 376 (2) (I) (J) (L) of Indian Penal Code and sentenced to R.I. for 20 years and fine of Rs.2000/- with usual default stipulation. Learned counsel for the appellant submits that the appellant has been falsely implicated as he has not committed any offence and there is no material evidence against him. He further submits that the trial Court by recording perverse finding has convicted the appellant and the appeal will take some time for hearing; therefore, he may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail. He submits that appellant



has rightly been convicted by the trial Court for the aforesaid offence by considering the admissible evidence available on record.

Taking into consideration the statement of mother of the victim and victim being minor and further considering FSL report, in which in slide of the victim and underwear of the appellant, stain of semen and human sperm was found, we do not find that it is a fit case to suspend the sentence and grant bail to the appellant. Accordingly, I.A.No.1 is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Sd/-
(Rakesh Mohan Pandey)
Judge