



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 902 of 2025

Sandeep Vishwakarma @ Chepta S/o Shriram Vishwakarma Aged About 32 Years
R/o Bharkapara, Ps Kotwali, Dist Rajnandgaon Chhattisgarh

--- Appellant(s)

versus

State Of Chhattisgarh Through P.S. Basantpur Dist Rajnandgaon Chhattisgarh

--- Respondent(s)

CRA No. 1207 of 2025

Vinay Talkai @ Pawan Sweeper S/o Udai Talkai Aged About 21 Years R/o Village
Solah Kholi, Station Para Ward No. 13, P.S. Kotwali, District Rajnandgaon
Chhattisgarh.

---Appellant(s)

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Basantpur,
District Rajnandgaon Chhattisgarh.

--- Respondent(s)

CRA No. 944 of 2025

Nilesh Rajput S/o Rajendra Alias Gudda Rajput Aged About 19 Years R/o Village
Solahkholi, Station Para, Ward No. 13, Police Station Kotwali, District Rajnandgaon
Chhattisgarh

---Appellant(s)

Versus

State Of Chhattisgarh Through The Police Station Basantpur, District
Rajnandgaon Chhattisgarh --- **Respondent(s)**

(Cause-title is taken from the CIS)

Order Sheet

27.10.2025	Above three appeals are arising out of the impugned judgment of conviction and order of sentence dated 09.04.2025, passed in Criminal Case No.33 of 2019, by the learned Additional Sessions Judge (FTC), Rajnandgaon Chhattisgarh, who has convicted the appellants-Sandeep Vishwakarma @ Chepta and Nilesh Rajput for commission of offence under Section 307/34 and the appellant-Vinay Talkai @ Pawan Sweeper under Section 307 of the IPC, and sentenced to undergo RI for seven years, and to pay fine of Rs.1,000/- with default stipulation. Heard Shri Pranav Tiwari, Shri Rajendra Patel, and Ms Ankita Goswami, Advocate on behalf of Shri Pushpendra Kumar Patel, learned counsel for the respective appellants, and Shri Pranjal Shukla, learned PL for the State on the instant applications for suspension of sentence and grant of bail to the appellants. Shri Pranav Tiwari, learned counsel appearing for the appellant-Sandeep Vishwakarma @ Chepta in CRA-902 of 2025 would submit that there is no allegation against the appellant that he caused injuries to the

victim. Complainant, PW5- Manoj Sahu is admitted in his evidence that there was no quarrel with present appellant, and it is only the appellant- Vinay Talkai @ Pawan Sweeper, who has made assault by knife on the chest of the victim. Appellant was on bail during trial, and has not misused the liberty granted to him. Appeal is of the year 2025, appellant is in jail since 09.04.2025, and the appeal will take its own time for its final adjudication, therefore, appellant may be enlarged on bail.

Shri Rajendra Patel, learned counsel appearing for appellant- Nilesh Rajput, in CRA-944 of 2025 would submit that his case is similar to the appellant- Sandeep Vishwakarma @ Chepta in CRA-902 of 2025, and there is no assault caused by this appellant. Appellant too was on bail during trial, and has not misused the liberty granted to him. Appeal is of the year 2025, appellant is in jail since 09.04.2025, and the appeal will take its own time for its final adjudication, therefore, appellant may be enlarged on bail.

Ms Ankita Goswami, Advocate appearing on behalf of Shri Pushpendra Kumar Patel, learned counsel for the appellant-Vinay Talkai @ Pawan Sweeper in CRA-1207 of 2025, would submit that other eyewitnesses have not supported the prosecution case. Complainant fell down on the ground in intoxicated condition due to liquor, and by the broken piece of glass, victim received simple injury, and hospitalized only for two days. Blood has not been found on the knife allegedly seized from

the appellant. Appellant is in jail since 09.04.2025, and the appeal will take its own time for its final adjudication, therefore, appellant may be enlarged on bail.

On the other hand, learned State counsel opposes the bail applications, and would submit that there is sufficient evidence available on record against the appellants that they caused injuries to the victim, and the appellant Vinay Talkai @ Pawan Sweeper caused knife injury on his chest repeatedly, which has also been supported by the medical evidence. Appellant- Vinay Talkai @ Pawan Sweeper has 12 criminal antecedents for the offences including Section 294, 307 of the IPC, therefore, appellants are not entitled for bail.

Heard learned counsel for the parties, and perused the record of the trial Court.

Considering the submissions made by learned counsel for the parties, nature of allegation made against the appellants, also considering the evidence available on record, evidence of PW5-Manoj Sahu, the complainant, PW12-Dr Sarita Das, I am not inclined to allow the application for suspension of sentence and grant of bail to appellant- **Vinay Talkai @ Pawan Sweeper in CRA-1207** of 2025. Accordingly, his bail application is **rejected**.

So far as applications filed by the appellants- Sandeep

Vishwakarma @ Chepta in CRA-902 of 2025, and Nilesh Rajput in CRA-944 of 2025 are concerned, they are allowed.

It is directed that the jail sentence imposed upon the appellants- **Sandeep Vishwakarma @ Chepta in CRA-902 of 2025, and Nilesh Rajput in CRA- 944 of 2025** shall remain suspended during the pendency of this appeal and they shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in like sum to the satisfaction of the trial Court for their appearance before the Registry of this Court on **10th December, 2025**. They shall thereafter, appear before the trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to them by the said Court, till disposal of this appeal.

List these cases for final hearing after ten weeks.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

padma