



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1255 of 2026

Mahendra Barle @ Fandu aned another **Versus** State Of Chhattisgarh

Order Sheet

09/06/2026	Mr. Uttam Pandey, Counsel for the appellants appears through Video Conferencing. Mr. Ramnarayan Sahu, Dy. G.A. for the State. Heard on I.A. No.01/2026, application under Section 430(2) of the BNSS 2023, I.A. No.02/2026, application for urgent hearing and I.A. No. 03/2026, application for hearing the matter during summer vacation. The appellants have been convicted and sentenced vide judgment dated 16.4.2026 passed by the Second Additional Sessions Judge, Bemetara District Bemetara (CG) in Sessions Case No.44/2023 as under: <table border="1" data-bbox="510 1747 1436 1926"> <tr> <th data-bbox="510 1747 909 1803">Conviction</th><th data-bbox="909 1747 1436 1803">Sentence</th></tr> <tr> <td data-bbox="510 1803 909 1926">Under Section 147 of the IPC</td><td data-bbox="909 1803 1436 1926">RI for three months, and fine of Rs.500, in default of fine</td></tr> </table>	Conviction	Sentence	Under Section 147 of the IPC	RI for three months, and fine of Rs.500, in default of fine
Conviction	Sentence				
Under Section 147 of the IPC	RI for three months, and fine of Rs.500, in default of fine				

		additional RI for one month
	Under Section 148 of the IPC	RI for one year and fine of Rs.500/-, in default of fine additional RI for one month
	Under Section 323 of the IPC	Till Rising of Court and fine of Rs.500/- in default of fine additional RI for one month
	Under Section 324 of the IPC	RI for one year and fine of Rs.500/-, in default of fine, additional RI for one month
	Under Section 308 of the IPC	RI for one year and fine of Rs.500/-, in default of fine, additional RI for one month Under Section 304-II of the IPC
	Under Section 304-II of the IPC	RI for 7 years and fine of Rs.1000/-, in default of fine, additional RI for two months
	Learned counsel for the appellants submits that the dispute in question arose entirely regarding construction of a speed breaker, during which, an altercation took place. Deceased Tokeshwar sustained injuries when he fell down on the road. After undergoing the medical treatment, the deceased was discharged from the hospital. However, after 27 days of the incident, the deceased died. Learned counsel for the appellants further submits that the offence alleged	

against the appellants, is not made out in the present case.

Learned counsel for the appellants further submits that the other three co-accused persons have already been granted bail vide order dated 02.06.2026 passed in CRA No. 1123/2026. It is, therefore, prayed that the substantive jail sentences imposed upon the appellants be suspended and they be enlarged on bail during the pendency of the present appeal.

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

Considering the facts and circumstances of the case, particularly considering the nature of the injuries sustained by the deceased and further considering that appellants No.1 & 2 are in jail since more than 971 days and 189 days respectively (as recorded in the impugned judgment) and other co-accused persons have also been granted bail by this Court vide order dated 02.06.2026 passed in CRA No.1123/2026, this Court is of the opinion that the present is a fit case case to suspend the jail sentences imposed against the appellants and release them on bail.

Accordingly, IA No. 1/2026 is allowed.

Execution of the substantive jail sentence imposed on the appellants shall remain suspended and they are directed to be released on bail on each of them furnishing a personal bond for a Rs.50,000/- with

Vishakha	two sureties each in the like sum to the satisfaction of the trial Court for their appearance before the Registry of this Court on 6th of July 2026. 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 the disposal of this appeal. In view of the above, IA No.02/2026, an application for urgent hearing and IA No.03/2026, an application for hearing the matter during summer vacation stand disposed of. List the matter for further hearing in the month of July 2026. Certified copy as per rules. sd/- (Radhakishan Agrawal) Vacation Judge
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