



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1047 of 2025

Prayag Raj Gupta @ Raja S/o Om Chandra Gupta Aged About 27 Years R/o Pragati Nagar Dipka, Thana Dipka, District Korba (C.G.), Present Address Ashok Nagar, D.L.S. College, Near Khushi Kirana Stores Apartment, Thana Sarkanda, District Bilaspur (C.G.)

... Appellant

versus

State of Chhattisgarh Through Police Station- Torwa, District Bilaspur (C.G.)

... Respondent

Order Sheet

29/10/2025	Mr. Vikas Kumar Pandey, Advocate for the Appellant. Mr. Vivek Sharma, PL for the State. Heard on I.A. No.1/2025, which is an application for suspension of sentence and grant of bail. The appellant stands convicted under Sections 363, 366, 376 (1) of IPC read with Section 3/4(1) of POCSO Act and Section 506 of IPC and sentenced to undergo R.I. for 03

years, R.I. for 05 Years, R.I. for 10 years and R.I. for 01 year and to pay fine of Rs.500/-, Rs.1000/-, Rs.2000/- & Rs.500/-, respectively, with usual default stipulation vide judgment dated 17/04/2025 passed by the Additional Sessions Judge, Second Fast Track Special Court (POCSO Act), Bilaspur, District Bilaspur, C.G. in Special Criminal Case (POCSO Act) No.69/2022.

Learned counsel for the appellant would submit that the appellant has been falsely implicated in this case and the appellant has served the jail sentence of 03 years 6 Months and the hearing of the appeal will take some more time as it is of the year 2025, therefore, the sentence awarded to the appellant may be suspended and he may be released on bail.

Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.

Victim appeared through the video conferencing from the concerned DLSA and she raised objection with regard to grant of bail to the appellant.

Considering the entire facts & circumstances of the case, nature of offence, submission of learned counsel for the

ashu	respective parties and further considering the fact that the prosecutrix was minor at the time of incident i.e. 16 years and 11 months and she is 60% disabled person, therefore, I am not inclined to suspend the sentence and release the appellant on bail. Accordingly, I.A. No.1/2025, application for suspension of sentence under Section 430 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is rejected. List it for final hearing in the last week of November, 2025. SD/- (Arvind Kumar Verma) Judge
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