



2026:CGHC:10167-DB

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 603 of 2015

Sanjeev @ Sanju Thakur S/o Jagadish Thakur, aged about 22 years, R/o. Village Kalgasa, Thana Darima, District Sarguja, Chhattisgarh.

---- Appellant (in Jail)**Versus**

State Of Chhattisgarh Through police station Darima, District Sarguja Chhattisgarh.

---- Respondent

11/01/2017	Smt. Shipra Biswas, Advocate for the appellant. Shri Arvind Dubey, Panel Lawyer for the State/ respondent. Heard on I.A. No. 2 of 2016, an application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 5.10.2013 passed by the learned Sessions Judge, Sarguja, Ambikapur, Chhattisgarh in Sessions Trial No. 11 of 2012, the appellant stands convicted under Section 302 of the Indian Penal Code and sentenced to undergo imprisonment for life and to pay fine of Rs.1,000/-, in default of payment of fine, to further undergo SI for six months. Learned counsel for the appellant submits that the appellant has been convicted solely on the basis of the evidence of last seen by Bundeshwar Singh (PW-3) and Virendra Kumar (PW-8) however the said evidence is not conclusive. It has been argued that though un-exhibited FSL report is positive but in absence of the serological report, the	



said report is of no value. She further submits that even if the entire prosecution case taken as it is, at best the appellant can be convicted under Section 304 part II of the IPC and he is in jail since last five years. The appeal is likely to take much time for final disposal and therefore, he be released on bail.

On the other hand, Learned counsel for the State has opposed the application.

Considering the totality of the facts, particularly, nature of allegation and the detention period of the appellant, we are inclined to release the appellant on bail.

Accordingly, the bail application is allowed.

It is directed that the jail sentence imposed upon appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one surety in like sum to the satisfaction of the trial Court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(R.C.S. Samant)
Judge