

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1160 of 2019

Yajendra Banjare And Another **Versus** State Of Chhattisgarh

14/10/2019	Shri Kripesh G. Kela, counsel for the appellant. Shri Neeraj Mehta, PL for the State. Heard on IA No.2, application under Section 389 of CrPC for suspension of sentence and grant of bail. Deceased Usha Banjare was the wife of appellant No.1 Yajendra Banjare and mother of appellant No.2 Vomesh Banjare. Her dead body was found in a ditch in the graveyard of the village. The appellants have allegedly made extra judicial confession to the witnesses PW-7 Prakash, PW-8 Khomlal, PW-9 Rahul Banjare and PW-10 Tikamdas Joshi, however, these witnesses have turned hostile and have not supported the prosecution. Considering the quality of evidence, we are inclined to suspend the sentence and release the appellants on bail. Accordingly, IA No.2/2019 is allowed. Execution of substantive jail sentence imposed upon the appellants shall remain suspended during the pendency of this appeal and they are directed to be released on bail provided they furnish a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the trial Court for their appearance before the Registry of this Court on 16.12.2019 and thereafter they shall continue to appear before the trial Court on all such subsequent dates as are given to them by the said Court, till the disposal of this appeal. Sd/- (Prashant Kumar Mishra) Judge Sd/- (Gautam Chourdiya) Judge
Nirala	