

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1217 of 2022**

- Aman Jadhav, S/o Rakesh Rao Jadhav, Aged About 19 Years, R/o Near Lodhipara Kuwa, Station Chowk Indra Gandhi Ward No. 20, Thana - Ganj, District - Raipur (C.G.).

---- Appellant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station - Gudiyari, District - Raipur (C.G.).

---- Respondent

07/09/2022	Mr. Vatan Sahu, counsel for the Appellant. Mr. B.P. Banjare, Dy. G.A. for the State/respondent. Vide order dated 01.09.2022, prosecutrix was present before the Court and has made no objection in suspending the sentence of the appellant. Heard on I.A. No. 01/2022, an application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 18.07.2022 passed by the learned Additional Sessions Judge, 1st Fast Track Special Court, Raipur (C.G.) in Special Criminal Case No. 221/2018, the appellant stands convicted as under:-	
	Conviction	Sentence
	U/s 363 of IPC	R.I. for 3 years and to pay fine amount of Rs. 500/- and in default of payment of fine additional R.I. for 1 month

U/s 366 of IPC	R.I. for 3 years and to pay fine amount of Rs. 500/- and in default of payment of fine additional R.I. for 1 month
U/s 376(2)(ढ) of IPC	R.I. for 10 years and to pay fine amount of Rs. 5,000/- and in default of payment of fine additional R.I. for 3 months

Learned counsel for the appellant submits that the appellant has been wrongly convicted by the trial court in the judgment without there being any sufficient evidence available on record. He further submits that the applicant and the prosecutrix got married according to the Hindu customs and in support of which, copy of marriage certificate has been filed, the appeal is likely to take some time for its conclusion. Hence, it is prayed that his application be allowed.

On the other hand, learned State counsel has opposed the bail application and submissions made in this respect.

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

After perusing the impugned judgment and considering the fact that the applicant and the prosecutrix got married and there is no likelihood of this appeal to come up for final hearing in near future, I am of this opinion that it will be proper to release the appellant on bail during the pendency of this appeal.

Accordingly, I.A. No. 01/2022 is allowed.

Execution of substantive jail sentences imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the trial court for his appearance before the Registry of this Court on **21st October,**

2022. He 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 given to him by the said Court, till the disposal of this appeal.

List this case for final hearing in due course.

Certified copy as per rules.

Sd/-
(Rajani Dubey)
Judge