



CGHC010302642026

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRA No.1973 of 2026**

1 - Umakant Upadhyay, S/o Late Manbharanram Upadhyay, Aged About 54 Years, R/o Ward No.19, Naditola, Village Karkeli, P.S. Naorojabad, District- Umariya (M.P)

Applicant (s)**versus**

1 - State Of Chhattisgarh Through Police Station Gaurela, District Gaurela-Pendra- Marwahi (C.G.)

Respondent(s)**Order Sheet**

10/09/2026	Mr. Praveen Kumar Sharma, counsel for the appellant. Mr. Vikhyat Arora, PL for the State. Record of the Trial Court has been received. Heard on IA No.1/2026, application for suspension of sentence and grant of bail during pendency of the appeal. By the impugned judgment dated 24.07.2026 passed by the learned 2nd Additional Session Judge, Pendra Road,

Bilaspur (C.G.) in Session Case No.09/2023, the appellant has been convicted under Section 411 of IPC and sentenced to undergo RI for 1 year and fine of Rs.1000/- and in default of payment of fine, additional RI for 1 month.

Learned counsel for the appellant submits that the maximum jail sentence awarded to the appellant is one year and he was in jail only for 13 days during remand period and he did not misuse such liberty and the appellant has been in custody since 24.07.2026 and fine amount has already been deposited and he has a good prima facie case on merits. Learned counsel also submits that the appellant is ready to abide by all terms and conditions that may be imposed by this Court while granting bail to him. Hence, it is prayed that I.A.No.01/2026 be allowed and the substantive jail sentence imposed upon the appellant be suspended during the pendency of this appeal.

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

Heard learned counsel for the parties and perused the material available on record.

Taking into consideration the facts and circumstances of the case, particularly that the maximum sentence awarded to the appellant is only 1 year, the appellant was in jail only for 13 days during remand period and he did not misuse the liberty granted to him and he has been in custody since 24.07.2026, therefore, this Court is inclined to allow the application for suspension of sentence and grant of bail to the appellant.

Accordingly, application (I.A. No. 01/2026) is **allowed**.

Nirala	The substantive jail sentence imposed upon the appellant is hereby suspended during the pendency of this appeal. The appellant shall be released on bail upon furnishing a personal bond in the sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court for his appearance before the Registry of this Court on 28.10.2026. The appellant shall thereafter appear before the concerned trial Court on such date as may be assigned by the Registry of this Court, and shall continue to appear there on all subsequent dates fixed by the said Court (the interval between two dates being not less than six months) til the final disposal of this appeal. List this case for final hearing. Sd/- (Naresh Kumar Chandravanshi) Judge
--------	--