



## HIGH COURT OF CHHATTISGARH AT BILASPUR

### CRA No. 1637 of 2025

**1** - Narayan Yadav S/o Faguva Yadav Aged About 35 Years R/o Village Sarangpur Kala P.S. Bodla, District - Kabirdham Chhattisgarh

**...Appellant**

**versus**

**1** - State Of Chhattisgarh Through The Station House Officer, Police Station Bodla, District - Kabirdham Chhattisgarh

**... Respondent**

### Order Sheet

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>22/01/2026</b> | <p>Mr. Ashish Tiwari, counsel for the appellant.</p> <p>Mr. Amit Verma, P.L. for the State.</p> <p>Heard on admission.</p> <p>Admit.</p> <p>Also heard on I.A. No. 01/2025, application for Suspension of sentence under Section 430(2) of BNSS, 2023.</p> <p>By the impugned judgment dated 18.07.2025 passed by learned Sessions Judge, Kabirdham (Kavardha) (C.G.) in Sessions Trial No. 38/2021, whereby the appellant has been convicted and sentenced as under:-</p> |



| <b>Conviction</b> | <b>Sentence</b>                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------|
| U/s 307 of IPC    | R.I. for 7 years with fine of Rs. 2,000/-,<br>in default of payment of fine amount<br>additional imprisonment for 3 months. |

Learned counsel for the appellant submits that the appellant is innocent and falsely implicated in the case, and there is no material evidence against the appellant. He also submits that the trial Court has gravely erred in appreciating the evidence of Chitrasen Nath Yogi (PW-5) who in para 2 has categorically stated that the proceedings was not taken place before him. The appellant is in jail since 27.04.2024 and is ready to furnish adequate security and shall abide by all the directions and conditions which may be imposed by this Court. Therefore, the jail sentence of the appellant may be suspended till the final disposal of the case, and he may be granted bail.

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

Considering the facts and circumstances of the case, and also considering the evidence collected by the prosecution against the appellant and also looking to the nature of the offence, at this stage, without commenting on the merits of the case, I am not inclined to suspend the jail sentence of the appellant.



Accordingly, the application (I.A. No. 01/2025) is **rejected**.

List this case for final hearing in the month of **March, 2026**.

Sd/-  
**(Sanjay Kumar Jaiswal)**  
Judge