



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1646 of 2025

Sooraj Banjare S/o Mehattar Banjare Aged About 40 Years R/o Purani Basti, Kohka, Ward No. 13, Chowki Smriti Nagar, P.S. Supela, District Durg, C.G.

... Appellant

versus

State Of Chhattisgarh Through Police Station Jamul, District Durg, C.G.

... Respondent

Order Sheet

19/03/2026	Mr. Shubhank Tiwari, counsel for appellant. Mr. Akash Agrawal, P.L. for State. Heard on admission. Admit. Also heard on I.A. No.03/2025, application under Section 430 of the BNSS, for suspension of sentence and grant of bail. By the impugned judgment dated 23.05.2025 passed by learned Additional Sessions Judge, 4th FTSC, Special

Court, Durg (CG) in Special Criminal Case (POCSO) No.109/2023, the appellant has been convicted and sentenced as under:-

Conviction	Sentence
U/s 9 (f)(m) read with Section 10 of the POCSO Act.	R.I. for 5 years and fine of Rs.1,000/-, in default of payment of fine, additional R.I. for 1 year.

Learned counsel for appellant submits that there are various contradictions and omissions in the statements of prosecution witnesses which the trial Court failed to scrutinize properly before convicting the appellant. He further submits that the appellant has already remained in custody for approximately 2 years, 7 months and 19 days and there is no likelihood of early final disposal of the appeal. Therefore, considering all these facts the jail sentence of appellant may be suspended till the final disposal of this appeal and the appellant be released on bail.

On the other hand, learned State counsel opposes the bail application and submits that the victim was aged around 5-6 years at the time of incident.

On 06.10.2025, the victim and her father appeared before this Court through virtual mode from the concerned DLSA and raised objection in granting bail to the appellant.

Heard learned counsel for the parties and perused the record.

Taking into consideration the overall facts and circumstances of the case, particularly the nature and

gravity of offence and the evidence available on record against the appellant, this Court is not inclined to suspend the jail sentence imposed upon the appellant.

Accordingly, I.A. No.03 for suspension of sentence and grant of bail stands **rejected**.

Let it be listed for final hearing after 4 weeks.

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