



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2049 of 2023

1 - Mohd. Murtaza @ Manna Khan S/o Mohd. Mustak, Aged About 23 Years R/o Block -91, H.No. 6, Bombay Awas, Urla, Ward No. 58, P.S. Mohan Nagar, District Durg, Chhattisgarh Permanent Address Darbhanga Matyari Saray Talab, P.S. And District Darbhanga, Bihar.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through P.S. Mohan Nagar, District : Durg, Chhattisgarh

... Respondent(s)

Order Sheet

29/01/2026	Mr. Vikram Pratap, learned counsel for the appellant. Ms. Supriya Upasane, learned Govt. Advocate, appearing for the Respondent/State. Heard on I.A. No. 01/2025, which is an application under Section 530 of BNSS (correct provision is Section 430 of BNSS) for suspension of sentence and grant of bail to the appellant-Mohd. Murtaza @ Manna Khan. Learned counsel for the appellant would submit that the
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first application for suspension of sentence and grant of bail of the appellant- Mohd. Murtaza @ Manna Khan has been dismissed as withdrawn. The appellant has already remained in jail for more than 05 years i.e. more than half of his sentence awarded by the learned trial Court, the final adjudication of the appeal will take its own time, therefore, the appellant may be enlarged on bail.

On the other hand, learned counsel appearing for the Respondent/State opposes and submitted that looking to the allegation made by the victim and the injuries caused by the appellant, even though he has undergone more half of the jail sentence, is not entitled for suspension of sentence and grant of bail.

I have heard learned counsel for the parties and perused the record of the trial Court.

From perusal of the record and evidence of the victim, it transpires that on 17.03.2020 at about 20:30 in when he caused grievous injuries on his neck by which he suffered paralytic attack and as per the report of the doctor PW-12 Vikram Keshari the injuries found on the neck of the victim is grievous in nature and fatal to life. As many as six injuries have been found on the neck of the victim and she remained bedridden.

Considering the evidence available on record against the

present appellant, nature of injuries and the allegation made by the witnesses, further considering that the first application for suspension of sentence and grant of bail has been dismissed as withdrawn on 10.05.2024, I am not inclined to suspend the sentence awarded to the appellant and release him on bail.

Accordingly, the second application for suspension of sentence and grant of bail is **rejected**.

The appellant may make is efforts to get the appeal finally decided within a reasonable time.

Sd/-
(Ravindra Kumar Agrawal)
Judge