

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 1923 of 2025**

1 - Naresh Sahu S/o Late Bihari Lal Sahu Alias Bhurva Sahu Aged About 22 Years R/o Savitri Nagar, Kotara Road, Modi Para, Raigarh District- Raigarh, Chhattisgarh.

... Appellant(s)

versus

1 - State Of Chhattisgarh Through- The Police Station City Kotwali, District- Raigarh, Chhattisgarh.

... Respondent(s)

Order Sheet

16/10/2025	Mr. Ashwin Panickar, learned counsel for the appellant. Ms. Pragya Shrivastava, learned Dy. Govt. Advocate, appearing for the Respondent/State. Pursuant to the order dated 18.09.2025, the victim along with her father appeared through virtual mode from DLSA, Raigarh and raised objection in granting bail to the appellant. Their objection is taken on record. Registry is directed to call trial Court record immediately.

Also heard on I.A. No. 02/2025, which is an application for suspension of sentence and grant of bail.

This appeal has been filed being aggrieved by judgment of conviction and sentence dated 22.09.2023 passed by learned Additional Sessions Judge, Fast Track Special Court (POCSO Act) Raigarh in Special Case (POCSO) No. 10/2021, whereby the appellant has been convicted and sentenced under Section 354 of IPC RI for 03 years RI and Rs. 500/- fine, under Section 379 of IPC 01 year RI with fine of Rs. 500/- and under Section 8 of the POCSO Act, RI for 03 years with with of Rs. 500/- and in case of non payment of fine then additional 01 months imprisonment in each offence.

Learned counsel for the appellant would submit that the total period of sentence awarded to the appellant is of 03 years. Presently he is in jail since 22.09.2023 and during trial he was remained in jail for about 06 months and thereby he has already completed more than 02 years and 06 months of his sentence. The appeal is of the year 2025, and final adjudication of the appeal will take its own time, there are material omissions and contradictions in the evidence of the victim and looking to the detention period and sentence awarded to him, he may be released on bail.

On the other hand, learned counsel appearing for the

Alok	Respondent/State opposes. Considering the submissions made by learned counsel for the parties, considering the period of sentence awarded to the appellant and the he was on bail during trial. The appeal is of the year 2025 and final adjudication of the appeal will take its own time, I am inclined to release the appellant on bail. Accordingly, I.A. No. 02/2025, is allowed. It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the Registry of this Court on 04.12.2025 and thereafter appear before the concerned trial Court on a date to be fixed by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to him by the said Court, till disposal of this appeal. List this case for final hearing in due course. Sd/- (Ravindra Kumar Agrawal) Judge
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