



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1918 of 2025

1 - Rajendra Ram S/o Dasrath Ram Aged About 22 Years R/o
Village - Kutma, Police Station - Bagicha, District - Jashpur
(C.G.)

... Appellant

versus

1 - State Of Chhattisgarh Through Police Station - Bagicha,
District - Jashpur (C.G.)

... Respondent

06/02/2026	Ms. Ranjana Jaiswal, counsel for the appellant. Mr. Karan Baharani, P.L. for the State/respondent. Heard on I.A. No. 01/2025, application under Section 430 of BNSS for suspension of sentence and grant of bail. By the impugned judgment dated 26.07.2025 passed by learned Sessions Judge Jashpur, District - Jashpur (C.G.) in Sessions Trial No. 100/2021, whereby the appellant has been convicted and sentenced as under:-

Conviction	Sentence
U/s 304 Part-II of IPC	R.I. for 7 years and fine of Rs. 500/-, in default of payment of fine amount additional R.I. for 3 months.
Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in the case, and there is no material evidence against the appellant. She also submits that the appellant assaulted his father Dashrath (deceased) by means of half burnt stick, which he had charged for the offence punishable under Section 302 of the IPC. He has been convicted and sentenced for the offence under Section 304 Part-II of IPC. She further submits that the eye witness, Ghudaram (PW-1), has turned hostile. The appellant has been convicted on the basis of the statement of Hemant Yadav (PW-2), who has not seen the appellant commit assault on the deceased; the fact of assault has been stated to him by Sundari Bai, who has not been examined by the prosecution. The appellant is in jail since 06.08.2021 i.e. about 4 years and 6 months, and the maximum sentence imposed upon the appellant is 7 years. The conclusion of this appeal is likely to take considerable time. Therefore, the jail sentence of the appellant may be suspended till the final disposal of the case, and he may be released on bail. On the other hand, learned State counsel opposes the bail application.	

Considering the facts and circumstances of the case and also looking to the evidence available on record and considering the fact that the appellant has already served the half of his jail sentence as the appellant is in jail since 06.08.2021, and the final disposal of this appeal is likely to take considerable time, therefore, I am inclined to suspend the jail sentence and grant of bail to the appellant.

Accordingly, I.A. No. 01/2025 is **allowed**. It is directed that the substantive jail sentence imposed upon the appellant shall remain suspended till final disposal of this case and he shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **6th April, 2026**. He shall thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the trial Court 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 after four weeks.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

H.L. Sahu