



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1975 of 2025

1 - Santosh Pradhan S/o Dashrath Pradhan, Aged About 35 Years, R/o - Raiba Para Sankara, Police Station - Sariya, District - Raigarh (C.G.) Now - District - Sarangarh - Bilaigarh (C.G.).

--- Appellant

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station - Sariya, District - Raigarh (C.G.) Now - District - Sarangarh - Bilaigarh (C.G.).

--- Respondent

CRA No. 2125 of 2025

1 - Thabir Alias Dashri Pradhan S/o Late Madan Pradhan, Aged About 60 Years, R/o Raibo Para Sankra, P.S. Sariya, District Raigarh Chhattisgarh Present District Sarangarh Bilaigarh Chhattisgarh.

---Appellant

Versus

1 - State Of Chhattisgarh Through Station Officer, Police Station Sariya, District Sarangarh Bilaigarh Session Division Raigarh Chhattisgarh

--- Respondent

19/03/2026	Mr. Abhinash Chand Sahu, Advocate for the Appellant in CRA No. 1975/2025. Mr. Sajal K. Gupta, Advocate on behalf of Mr. Utkal Pradhan, Advocate for the Appellant in CRA No. 2125/2025. Mr. Akhilesh Kumar, G.A. for the State. Heard on I.A. No. 01/2025, which is an application under Section 430 of BNSS for suspension of sentence and grant of bail. By the impugned order dated 05.08.2025 passed by the learned Additional Sessions judge, Sarangarh, District-Sarangarh-Bilaigarh (C.G.) in Sessions Trial No. 16/2019, the appellants have been convicted and sentenced as mentioned below : <table border="1" data-bbox="539 1169 1447 1966"> <thead> <tr> <th data-bbox="539 1169 949 1238">Conviction</th><th data-bbox="949 1169 1447 1238">Sentence</th></tr> </thead> <tbody> <tr> <td data-bbox="539 1238 949 1608">Offence under Section 324/34 of IPC.</td><td data-bbox="949 1238 1447 1608">R.I. for 06 months and fine of Rs.500/-, in default of payment of fine amount, additional R.I. for 01 months (to each of the appellants).</td></tr> <tr> <td data-bbox="539 1608 949 1966">Offence under Section 304 Part-1/34 of IPC.</td><td data-bbox="949 1608 1447 1966">R.I. for 10 years and fine of Rs.1,000/-, in default of payment of fine amount, additional R.I. for 06 months (to each of the appellants).</td></tr> </tbody> </table>	Conviction	Sentence	Offence under Section 324/34 of IPC.	R.I. for 06 months and fine of Rs.500/-, in default of payment of fine amount, additional R.I. for 01 months (to each of the appellants).	Offence under Section 304 Part-1/34 of IPC.	R.I. for 10 years and fine of Rs.1,000/-, in default of payment of fine amount, additional R.I. for 06 months (to each of the appellants).
Conviction	Sentence						
Offence under Section 324/34 of IPC.	R.I. for 06 months and fine of Rs.500/-, in default of payment of fine amount, additional R.I. for 01 months (to each of the appellants).						
Offence under Section 304 Part-1/34 of IPC.	R.I. for 10 years and fine of Rs.1,000/-, in default of payment of fine amount, additional R.I. for 06 months (to each of the appellants).						

(both the sentence to run concurrently)

Learned counsel appearing for the appellants submits that the appellants are innocent and have been falsely implicated in the case. It is further submitted that no named FIR was lodged against the appellant-Santosh Pradhan, and no seizure was made from him. The maximum sentence imposed upon the appellants is RI for 10 years out of which Appellant-Santosh Pradhan has already served about 10 months, and the Appellant-Thabir Alias Dashri Pradhan has served about 6 years and 8 months. The appeal is likely to take considerable time for final disposal, therefore, it is prayed that IA No. 01/2025 be allowed, the appellants be released on bail, and their jail sentence may be suspended till the final disposal of the case.

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

I have heard learned counsel appearing for the parties and perused the material available on record.

Considering the entire facts and circumstances of the case, and the fact that the case involves direct evidence and both the appellants assaulted the victim (Dukalu), appellant Santosh Pradhan has remained in jail for about 10 months, and appellant Thabir Alias Dashri has been in jail since 28.07.2019 (about 6 years, 7 months,

and 22 days), and the final disposal of this appeal is likely to take considerable time, I find it appropriate to release only appellant Thabir Alias Dashri on bail and suspend his jail sentence during the pendency of this appeal.

Accordingly, IA No. 01/2025 in CRA No. 2125/2025 is **allowed**, and IA No. 01/2025 in CRA No. 1975/2025 is **rejected**.

The execution of substantive jail sentence imposed upon the appellant-Thabir Alias Dashri Pradhan (CRA No. 2125/2025) shall remain suspended during the pendency of this appeal and he shall be released on bail on executing a personal bond for a sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned trial Court for his appearance before the Registry of this Court on **24.06.2026**. He shall thereafter appear before the trial Court on a date to be given 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 these cases for final hearing.

Sd/-

(Sanjay Kumar Jaiswal)
Judge