



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2027 of 2025

1 - Ramesh Agariya S/o Harilal Agariya Aged About 30 Years R/o Village-
Nandamali, Police Station- Darima, District- Sarguja (C.G.)

... Appellant(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station- Darima,
District- Sarguja (C.G.)

... Respondent(s)

Order on Board

07/10/2025	Mr. Chandrabhushan Kesharwani, learned counsel for the appellant. Ms. Binu Sharma, Panel Lawyer for the Respondent/ State. Admit. Call for the record of the trial Court. Also heard on I.A. No. 01/2025 which is application for
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suspension of sentence and grant of bail.

By the impugned judgment of conviction and sentence dated 23.08.2025 passed in Sessions Case No. 11/2025 by the court of learned 6th Additional Sessions Judge, Ambikapur, Dist-Sarguja (C.G.), the appellant has been convicted and sentenced as under:-

S. No.	Conviction	Sentence
1.	U/s 118 (1) of Bharatiya Nyaya Sanhita, 2023.	R.I. for 02 years with fine of Rs. 500/- in default of payment of fine amount, further R.I. for 03 months.

Learned counsel for the appellant would submit that the victim and appellant are real brothers. The alleged offence under Section 118 (1) of B.N.S. does not provide any minimum sentence. The maximum sentence awarded to the appellant is of two years. The learned trial Court has already undertaken about one year of his sentence. He is in jail since 10.10.2024, the appeal is of the year 2025, final adjudication of the case will take its own time, therefore, he may be enlarged on bail.

On the other hand, the learned counsel for the State opposes the submissions made by learned counsel for the appellant.

I have heard learned counsel for the parties.

Considering the submission made by learned counsel for the parties, considering the nature of allegation and maximum sentence awarded to the appellant, further considering that the appellant is in jail since 10.10.2024, I am inclined to release the appellant on bail.

The I.A. No. 01 of 2025 is **allowed**.

Accordingly, the substantive jail sentence awarded to appellant by the learned trial Court is hereby suspended. It is directed that the appellant shall be released on bail on his furnishing a personal bond for a sum Rs. 25,000/- with one sureties in like sum to the satisfaction of the Trial Court for his appearance before Registry of this Court on **25.11.2025**. 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 this case for final hearing in its due course.

Sd/-

(Ravindra Kumar Agrawal)

Judge