



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 2209 of 2025

1 - Krishna Banjara @ Chuneswar Banjara S/o Basant Banjara, Aged About 21 Years R/o Village- Joradol, Thana Pathalgaon, Dist. Jashpur (C.G.)

2 - Balram Banjara S/o Basant Banjara, Aged About 26 Years R/o Village- Joradol, Thana Pathalgaon, Dist. Jashpur (C.G.)

... Appellants.

Versus

State Of Chhattisgarh Through Police Station Pathalgaon, District Jashpur (C.G.)

... Respondent.

Order Sheet

16/02/2026	Mr. Sanjay Agrawal, Advocate for the appellants. Mr. Aman Tamrakar, PL for the respondent/State. Heard on I.A. No.01/2025, application for suspension of sentence and grant of bail. This appeal has been filed being aggrieved by the impugned judgment dated 10.10.2025, passed by the learned Upper Sessions Judge, Patthalgaon, District Jashpur (C.G.) in Sessions Case No.17/2023, whereby the appellants have been convicted and sentenced as under:- <table><tr><th>Conviction</th><th>Sentence</th></tr><tr><td colspan="2">APPELLANT NO.1-KRISHNA BANJARA</td></tr><tr><td>u/S 304 II/34 of the IPC</td><td>RI for 5 years and fine of Rs.500, in default of payment of fine further six months SI</td></tr></table>	Conviction	Sentence	APPELLANT NO.1-KRISHNA BANJARA		u/S 304 II/34 of the IPC	RI for 5 years and fine of Rs.500, in default of payment of fine further six months SI
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APPELLANT NO.1-KRISHNA BANJARA							
u/S 304 II/34 of the IPC	RI for 5 years and fine of Rs.500, in default of payment of fine further six months SI						

u/S 294 of the IPC	RI for one month and fine of Rs.200, in default of payment of fine further one month SI.
APPELLANT NO.2-BALRAM BANJARA	
u/S 304 II/34 of the IPC	RI for 5 years and fine of Rs.500, in default of payment of fine further six months SI.
u/S 323 of the IPC	RI for 2 months and fine of Rs.300, in default of payment of fine further one month SI.
u/S 294 of the IPC	RI for one month and fine of Rs.200, in default of payment of fine further one month SI.
Learned counsel for the appellants submits that there is no material on record on the basis of which the appellants' conviction can be sustained. He also submits that there are material contradictions and commissions in the statement of prosecution witnesses and no weapon or stone were seized from the appellants. The appellants are in jail since 21.05.2023 i.e. for about 2 years and 9 months, the conclusion of appeal is likely to take considerable time and they are ready to abide by all the terms and conditions which may be imposed upon them while suspending the jail sentence, therefore, the substantive jail sentence of the appellants may be suspended till final disposal of this case and they may be released on bail. On the other hand, learned State counsel would oppose the prayer for bail. Heard counsel for the parties and perused the record.	

	Considering the facts and circumstances of the case, and considering that appellants are in jail since 21.05.2023 i.e. for about 2 years 9 months and further considering that appellants are ready to abide by any terms and conditions to be imposed by this Court, I am inclined to suspend the sentence. Accordingly, I.A. No. 01/2025 is allowed. It is directed that the substantive jail sentence of the appellants shall remain suspended till final disposal of the instant appeal and they shall be released on bail on their executing a personal bond for a sum of Rs. 25,000/- with one surety (each) for the like sum to the satisfaction of the trial Court for their appearance before the Registry of this Court on 27th April, 2026. They 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 them by the said Court till disposal of this case. List this case for final hearing. Sd/- (Sanjay Kumar Jaiswal) Judge
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Ajay