



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 40 of 2026

1 - Ravi Kumar @ Raju Shrivas S/o Chhannulal Shrivas Aged About 22 Years R/o Bazarpara, Konchara, Police Chouki-Belgahna, P.S.- Kota, Distt.- Bilaspur (C.G.)

... Appellant

versus

1 - State Of Chhattisgarh Through P.S.- Kota, Distt.- Bilaspur (C.G.)

... Respondent

23/02/2026	Mr. Jai Prakash Shukla, counsel for the appellant. Ms. Monika Day, P.L. for the State/respondent. Heard on I.A. No.01/2026, application under Section 430(2) of BNSS for suspension of sentence and grant of bail. By the impugned judgment dated 02.12.2025 passed by learned Additional Sessions Judge/2nd Fast Track Special Court (POCSO Act), District - Bilaspur (C.G.) Special Criminal Case (POCSO Act) No. 34/2024, whereby the appellant has been convicted and sentenced as under:-

Conviction	Sentence
U/s 324 of IPC	R.I. for 6 months with fine of Rs. 500/-, in default of payment of fine amount additional R.I. for 1 month.
U/s 354 of IPC	R.I. for 1 year with fine of Rs. 1000/-, in default of payment of fine amount additional R.I. for 2 months.
U/s 9(m)/10 of POCSO Act	R.I. for 5 years with fine of Rs. 2000/-, in default of payment of fine amount additional R.I. for 4 months.

(All the sentences were directed to run concurrently).

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. He also submits that the appellant's brother's saloon shop is just adjacent to the complainant's house, which is not removed by the appellant and his family members even after serious protests of the complainant and his family members; therefore, the appellant has been dragged in false case so that they can bargain for the land/shop dispute. He further submits that the appellant was badly beaten/injured by the complainant and his family members, and just to protect themselves from that liability, they falsely implicated the appellant, which is evident from the deposition of DW-1 and DW-2. The appellant sustained severe injury, which has evidently come on record in Ex.P/9 (Arrest memo) and para 17 and 20 of PW-9, which is not explained by the prosecution. Merely for the reasons that a police

complaint was not made and the MLC of the appellant was not carried out, his injuries cannot be denied. The appellant was in jail from 26.01.2024 to 15.05.2025 during trial and now he is in jail since 02.12.2025 i.e. about 6 months, and the maximum sentence imposed upon the appellant is 5 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.

The father of the victim appeared through V.C. from the concerned DLSA and raised objection to grant of bail to the appellant.

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 jail sentence of about 6 months, 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. 01/2026 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 **15th May, 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.

Sd/-
(Sanjay Kumar Jaiswal)
Judge