



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 116 of 2026

1 - Aisam Das Manikpuri S/o Pitamber Das Manikpuri Aged About 24 Years R/o Village Mangchuva, Police Station Mangchuva, District Balod C.G.

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Of Police Station Mangchuva, District Balod C.G.

... **Respondent(s)**

Order Sheet

20/02/2026	Mr. Anmol Gupta, counsel for the Appellant. Dr. Richa Pandey, Panel Lawyer for the State/respondent. Heard on admission. Admit. Also heard on I.A. No.01/2025, application under Section 430 of Bhartiya Nagrik Suraksha Sanhita for suspension of sentences and grant of bail. By the impugned judgment of conviction dated

11.11.2025 passed by the learned Additional Sessions Judge FTSC (POCSO) Balod, District Balod C.G. in Special Sessions Case No.85/2024, appellant stand convicted for the offence punishable mentioned as under:

<u>Conviction</u>	<u>Sentence</u>
U/S. 127 (2) of BNS	R.I. for 06 months & fine of Rs.1,000/- and in default of payment of fine amount additional R.I. for 01 month.
U/S. 115 (2) of BNS	R.I. for 06 months & fine of Rs.1,000/- and in default of payment of fine amount additional R.I. for 01 month.
U/S. 74 of BNS	R.I. for 03 years & fine of Rs.1,000/- and in default of payment of fine amount additional R.I. for 03 months.
U/S. 76 of BNS	R.I. for 03 years & fine of Rs.1,000/- and in default of payment of fine amount additional R.I. for 03 months.
All the sentences are run concurrently	

Learned counsel appearing for the appellant submits that the appellant has been wrongly convicted by the learned

trial Court in the absence of any clinching evidence on record against him. The appellant has been in custody since **19.11.2024 to 20.03.2025**, and continues to remain in custody as on the date of the judgment passed by the learned trial Court i.e. **11.11.2025**, and even till date. Learned counsel for the appellant would further submits that it has been admitted in the deposition of the victim (PW-01) that there existed a monetary dispute between her father and the appellant, pursuant to which her father lodged a report against the appellant; consequently, the testimony of the victim appears to be tutored at the instance of her father. He further contends that the appeal is likely to take considerable time for its final disposal and, therefore, prays that the sentence imposed upon the appellant by the learned trial Court be kept in abeyance and that the appellant be released on bail during the pendency of the appeal.

Per contra, learned counsel appearing for the respondent/State supports the judgment of conviction passed by the learned Trial Court and opposes the application seeking suspension of sentence and grant of bail to the appellant, submitting that the prosecution witnesses have duly supported the case of the prosecution and that the

minimum prescribed sentence under Sections 74 and 76 of the Bharatiya Nyaya Sanhita is three years each.

I have heard both counsel for the parties and perused the documents available on record with due care.

Considering the facts and circumstances of the case, and also taking into consideration the fact that the applicant has been in jail since **19.11.2024 to 20.03.2025**, and continues to remain in custody as on the date of the judgment passed by the learned trial Court dated **11.11.2025**, and even till date, and that the revision is likely to take considerable time for its conclusion, I am inclined to suspend the sentence.

In view of the above, I.A. No.01/2025, an application for suspension of sentence and grant of bail is liable to be and is hereby allowed.

It is directed that the substantive jail sentence of the applicant shall remain suspended till final disposal of the instant revision petition 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 **30th April, 2026**. He shall thereafter appear before the

Saxena	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 case. List this case for final hearing after four weeks. Sd/- (Sanjay Kumar Jaiswal) Judge
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