



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

IA-1 of 2022

In Re:

CRA No. 965 of 2023

Aadesh Bansod S/o Late Ramdas Bansod, Aged About 44 Years
R/o Naya Aamapara, Durg, Police Station Mohan Nagar, District : Durg,
Chhattisgarh

---- Appellant

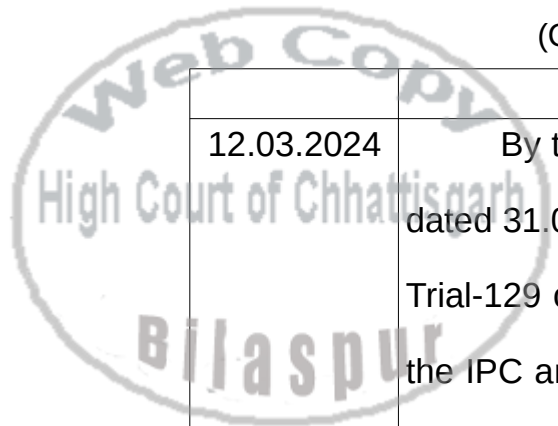
Versus

State Of Chhattisgarh Through Station House Officer, Police Station Mohan
Nagar, Durg, District : Durg, Chhattisgarh

----Respondent

(Cause-title taken from Case Information System)

| | |
|------------|---|
| 12.03.2024 | <p>By the impugned judgment of conviction and order of sentence dated 31.03.2023, the Session Judge, Durg, District-Durg in Session Trial-129 of 2020, has convicted the appellant under Section 302 of the IPC and sentenced him life imprisonment with fine of Rs.5,000/-, in default of payment of fine, 5 months additional RI.</p> <p>Heard Shri Amiyakant Tiwari, learned counsel for appellant and Shri Nitansh Kumar Jaiswal, learned Panel Lawyer, appearing for the State/respondent on the instant application for suspension of sentence and grant of bail (IA-1 of 2023).</p> <p>Learned counsel for the appellant would submit that appellant has been falsely implicated in the case, and there is no evidence to connect him with crime in question. Prosecution case is based on</p> |
|------------|---|

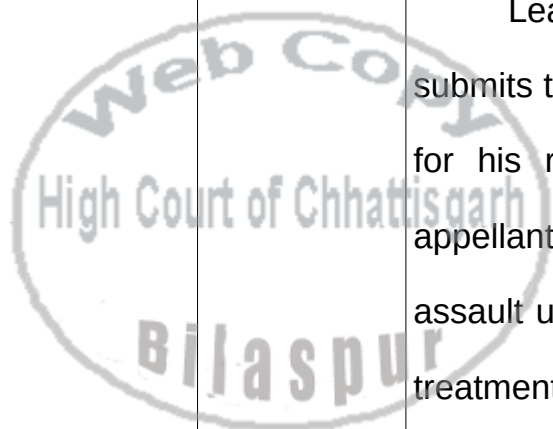




circumstantial evidence. He would further submit that learned trial Court ought to have given the benefit of doubt in favour of the appellant, as the prosecution has failed to establish the charge of murder beyond any reasonable doubt. There is no conclusive evidence against the appellant. Appellant is in jail since 26.09.2020 and the appeal may take long time for its final disposal, therefore, the appellant be granted bail.

Learned State counsel opposes the bail application and submits that the grounds pleaded by the appellant are not accessible for his release on bail. In the fateful night of 20.09.2020, the appellant committed murder of his own wife by causing deadly assault upon her, as a result of which she died during the course of treatment at DKS Hospital, Raipur. The incident took place in the residence of the appellant, and the nature of death is homicidal. Conviction is based upon circumstantial evidence as well as medical evidences. It is also pointed out that blood stained clothes of the appellant were also recovered showing involvement of the appellant in the alleged crime. Accused/appellant failed to make out any case in his favour before the trial Court, and the application for suspension of sentence and grant of bail may be rejected.

We have heard learned counsel for the parties and perused





the records of the trial Court.

Considering the facts and circumstances of the case, gravity of offence, overall evidence against the appellant, recovery of dead body, statement of the witnesses, medical evidence, and also material available on record, we deem it appropriate to reject the application for suspension of sentence and grant of bail.

Accordingly, IA-1 of 2023 stands rejected.

It transpires from the record that the matter is ripe for final hearing.

Let the matter be listed for final hearing after three weeks.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

