



HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1054 of 2021

- Haresh Aanchala, aged about 25 years, S/o Narsingh Aanchala, R/o Vill.- Dongaripara Ghoti, PS-Bhanupratappur, District North Bastar Kanker (CG)

**---- Appellant
(On Bail)**

Versus

- State of CG, through P.S. Bhanupratappur, District North Bastar Kanker (CG)

---- Respondent

23/9/2021	Mr. Rakesh Thakur, Advocate for appellant. Mr. Ghanshyam Patel, Govt. Advocate for the State. Heard. Admit. Call for the record of the Court below concerned. Also heard on I.A. No.1/2021, an application for suspension of sentences and grant of bail to appellant during pendency of this appeal. By the impugned judgment dated 31.8.2021 passed by the Special Judge (Protection of Children from Sexual Offences Act, 2012), Bhanupratappur, District North Bastar Kanker (CG) in Special Criminal Case (POCSO Act) No.35/2019 the appellant stands convicted under Section 452 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to undergo RI for 1 year with fine of Rs.500/- and RI for 3 years with fine of Rs.500/-, plus default stipulation respectively. Learned counsel for appellant submits that maximum sentence which has been awarded to appellant is of 3 years. Appellant was on bail during trial and he has not misused



the liberty granted to him by Court below. The trial Court allowed application of appellant filed under Section 389 (3) of CrPC and granted him bail for limited period of one month from the date of impugned judgment for filing appeal. He submits that disposal of this appeal is likely to take time, therefore, sentences imposed upon appellant may be suspended and he may be released on bail.

On the other hand, counsel for the State opposes the bail application. However, he does not dispute submission of learned counsel for appellant that appellant is on bail on the ground that in cause title of appeal it is mentioned that appellant is '**on bail**'.

Considering the facts & circumstances of case, in particular short sentence awarded to appellant, hearing of appeal is likely to take some time, without commenting anything on merits of case, I am inclined to release appellant on bail.

Accordingly, I.A. No.1/21 is allowed.

It is directed that substantive jail sentences imposed upon appellant shall remain suspended during pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one surety in the like sum to the satisfaction of trial Court concerned. Appellant shall appear before the Registry of this Court on **23.11.2021** and thereafter appear before the trial Court concerned on a date to be given by the Registry of this Court and shall continue to appear there on all such other dates as are given by trial Court till final disposal of this appeal.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge