



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1078 of 2021

Chaleshwar Satnami S/o Khemchand Satnami, aged about 21 years, R/o Mandhar, Thana-Simga, District : Balodabazar-Bhathapara, Chhattisgarh

---- Appellant

Versus

State of Chhattisgarh through Thana-In-Charge Thana- Simga, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

01.									
27.09.2021	Mr. Ravi Maheshwari, Advocate on behalf of Mr. Samir Singh, Counsel for the appellant. Mr. Ajay Kumrani, P.L. for the State/Respondent. Heard on admission. Admit. Also heard I.A. No.1/2021, an application for suspension of sentence and grant of bail to the appellant. By the impugned judgment date 02.09.2021 passed in Special Criminal Case No.H-36/2019 by learned Special Judge, (POCSO, 2012) Bhatapara, District: Balodabazar-Bhatapara (C.G.), the appellant stands convicted as mentioned below: <table><tr><th>Conviction</th><th>Sentence</th><th>In Default</th></tr><tr><td>U/s 354-A (1) (ii) of IPC</td><td>RI for 2 years with a fine amount of Rs.500/-</td><td>In default of payment of fine amount additional RI for 1 month.</td></tr></table>			Conviction	Sentence	In Default	U/s 354-A (1) (ii) of IPC	RI for 2 years with a fine amount of Rs.500/-	In default of payment of fine amount additional RI for 1 month.
Conviction	Sentence	In Default							
U/s 354-A (1) (ii) of IPC	RI for 2 years with a fine amount of Rs.500/-	In default of payment of fine amount additional RI for 1 month.							



U/s 451 of IPC	RI for 2 years with a fine amount of Rs.500/-	In default of payment of fine amount additional RI for 1 month.
U/s 12 of POCSO Act, 2012	RI for 2 years with a fine amount of Rs.500/-	In default of payment of fine amount additional RI for 1 month.

Learned counsel for the Appellant submits that the Appellant has been wrongly convicted by the Trial Court in the judgment without there being any sufficient evidence available on record. He further submits that the Appellant was on bail during trial and after the judgment of the Trial Court he was granted temporary bail. Hence, it is prayed that his application be allowed.

On the other hand, learned counsel for the State has opposed the bail application and submissions made in this respect.

Heard both the parties and perused the record of the Trial Court.

After perusing the impugned judgment and considering this fact that the Appellant was on bail during the pendency of trial and have not misused the liberty, I am of this opinion that it will be proper to release the Appellant on bail during the pendency of this appeal.

Execution of substantive jail sentences imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the Registry of this Court on **01.12.2021**. He shall thereafter appear



before the Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to him by the said Court, till the disposal of this appeal.

List this case for final hearing in due course.

Sd/-

**(Rajendra Chandra Singh Samant)
Judge**

Saurabh

