



HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet
CRA No. 1261 of 2021

- Raju @ Chitrasen Sahu, S/o Goverdhan Sahu, Aged About 23 Years, R/o Kanyadabri, Chowki Pinkapar, Police Station- Devri, District-Balod Chhattisgarh. **---- Appellant**

Versus

- State of Chhattisgarh, Through- Station House Officer, Police Station Devri, District- Balod, Chhattisgarh. **---- Respondent**

27.10.2021	Shri R. K. Pali, counsel for the appellant. Shri Shreshtha Gupta, P. L. for the State. Heard on admission. This appeal is admitted for hearing. Call for the record of the Court below. Heard on I.A. No. 01 /2021, application for suspension of sentence and grant of bail. The appellant has been convicted and sentenced by the judgment of conviction and order of sentence dated 30.09.2021 passed in Sessions Trial No.10/2019 by First Additional Sessions Judge, District- Balod (C.G.) in the following manner:-



<u>Conviction</u>		<u>Sentences</u>
Under Section 325/34 of IPC for voluntarily causing grievous hurt to Dwarika Sahu.		RI for two years, fine of Rs. 2,000/-, in default thereof to suffer additional imprisonment for 30 days.
Under Section 325/34 of IPC for voluntarily causing grievous hurt to Ravi Kumar Sahu.		RI for two years, fine of Rs. 2,000/-, in default thereof to suffer additional imprisonment for 30 days.

Learned counsel for the appellant submits that there is no reliable evidence against the present appellant to involve him in this case, essential ingredient of the offence for convicting the appellant is missing, the appellant was on bail during trial and he did not misuse the liberty granted to him and disposal of this appeal is likely to take some time, therefore, the appellant be released on bail.

On the other hand, learned counsel for the State opposes bail application.

Considering the facts & circumstances of the case, the short sentence of two years has been imposed upon the appellant, he was on bail during trial and did not misuse the liberty granted to him, final disposal of this appeal is likely to take some time, without commenting anything on merits of the case, the application is allowed.

It is directed that the execution of substantive jail sentence imposed



upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the trial Court. He shall appear before the Registry of this Court on **12th of January, 2022** and thereafter appear before the trial Court on a date to be given by the Registry and thereafter continue to appear before the trial Court on all such dates as are given to him by the said Court till disposal of this appeal.

List the case for final hearing in due course.

Sd/-

(Gautam Chourdiya)

Judge