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HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

CRA No. 3 of 2022

1. Gulshan Patel, S/o- Suresh Patel, Aged About 19 Years, R/o - Madhyanagri Chowk, Police Station - Civil Line, Bilaspur, District – Bilaspur, Chhattisgarh.
2. Hitesh Patel, S/o Dharmendra Kumar Patel, Aged About 19 Years, R/o Mukhyamantri Shramik Pratikshalay, Brihaspati Bazar, Police Station - Civil Line, Bilaspur, District – Bilaspur, Chhattisgarh. **---- Appellants**

Versus

- State of Chhattisgarh, Through - District Magistrate Bilaspur, District – Bilaspur, Chhattisgarh. **---- Respondent**

27.04.2022	Shri Anand Kesharwani, counsel for the appellant. Shri Shrikant Kaushik, Panel Lawyer for the State. None appeared for the prosecutrix though served. Heard on I.A. No.01/2022, application for suspension of sentence and grant of bail. The appellants have been convicted and sentenced by the judgment of conviction and order of sentence dated- 07.12.2021 passed in Special Criminal Case (POCSO Act) No. 138/2018 by the Additional Sessions Judge, Second Fast Track Special Court Bilaspur, District- Bilaspur (C.G.) as under:- <table data-bbox="491 1686 1428 2049"><tr><th data-bbox="491 1686 970 1749"><u>Conviction</u></th><th data-bbox="970 1686 1428 1749"><u>Sentence</u></th></tr><tr><td data-bbox="491 1749 970 2049">Under Sections 341 of IPC</td><td data-bbox="970 1749 1428 2049">S.I. for 1 month with fine of Rs. 500 /- and default in payment of fine amount additional SI for 1 week.</td></tr></table>	<u>Conviction</u>	<u>Sentence</u>	Under Sections 341 of IPC	S.I. for 1 month with fine of Rs. 500 /- and default in payment of fine amount additional SI for 1 week.
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	Under Section 354/34 of IPC	R.I. for 3 years with fine of Rs. 1,000/- and default in payment of fine amount additional S.I. for 6 months.
	Under Section 509 of IPC	S.I. for three years with fine of Rs. 1,000/- and default in payment of fine amount additional S.I. for 6 months.
	Under Section 8 of POCSO Act	S.I. for three years with fine of Rs. 1,000/- and default in payment of fine amount additional S.I. for 6 months.
Considering the facts & circumstances of the case, the maximum sentence imposed upon the appellants is 3 years, the age of the appellants at the time of incident i.e. 19 years, there is no criminal antecedents or previous conviction of the appellants, they were on bail during trial & after conviction and they did not misuse the liberty granted to them, final disposal of this appeal is likely to take some time, without commenting anything on merits of the case, the application (I.A. No.1/2022) is allowed. It is directed that the execution of substantive jail sentence imposed upon the appellants shall remain suspended during the pendency of this appeal and they shall be released on bail on their 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. They shall appear before the Registry of this Court on 28.06.2022 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 them by the said Court till disposal of this appeal. List the case for final hearing in due course. Sd/- (Gautam Chourdiya) Judge
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