

HIGH COURT OF CHHATTISGARH, BILASPURCRR No. 819 of 2019

- Kumari Laxmi Dewangan D/o Late Harish Dewangan, aged about 15 years 4 months, R/o village Chadiya, Police Station, Kharora, District Raipur (C.G.) Through natural guardian mother Saraswati Bai W/o. Late Harish Dewangan, aged about 40 years, R/o village Chadiya, Police Station, Kharora, District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, through Police Station Kharora, District Raipur (C.G.)

---- Respondent

01/08/2019	Ms. Laxmin Kashyap, counsel for the Applicant. Mr. Wasim Miyan, PL for the State. Heard on admission. Admit. Also heard on I.A. No. 1/2019, application for suspension of sentence and grant of bail. The present revision arises out of the impugned judgment dated 28.06.2019 passed by the Children Court/Ninth Additional Sessions Judge District Raipur (C.G.) in Criminal appeal No. 93/2019 whereby the learned Appellate Court has dismissed the appeal of applicant arises out of judgment dated 07.01.2019 passed by the learned Principal Magistrate, Juvenile Justice Board, Mana Camp, District Raipur (C.G.), in criminal case No.	

57/2018 for the offence under Sections 302 & 201 of IPC and sentenced him imprisonment for 1 year under Special Cell and to pay fine of Rs. 1,000/- with default stipulation.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is in custody since 28.06.2019. Therefore, looking to the jail sentence awarded to him, he may be released on bail.

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

I have heard learned counsel both the parties.

Considering the evidence available on record, further considering the detention period of the accused/applicant, without further commenting on merits of the case, I am inclined to release the applicant on bail.

Accordingly, I.A. No. 1/2019, application for suspension of sentence and grant of bail is allowed.

It is directed that the substantive jail sentence imposed upon the applicant shall remain suspended during the pendency of this revision and he shall be released on bail furnishing a personal bond for a sum of Rs. 25,000/- with one surety by his natural guardian/mother, in the like sum to the satisfaction of the trial Court. He is directed to remain present before the trial Court as and when directed by the said Court.

List this case for final hearing in due course.