

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.R. No. 318 of 2020

- Aman @ Babu Yadav S/o Late Rajesh Yadav Aged About 14 Years (Minor),
Through His Natural Guardian (Mother) Rupa Yadav W/o Late Rajesh Yadav,
Aged About 40 Years R/o Bailabazar, Jagdalpur Thana Bodhghat District
Bastar Chhattisgarh

--- Appellant

Versus

- State Of Chhattisgarh Through Aarakshi Kendra Bodhghat District Bastar
Chhattisgarh

---Respondent

<u>27/02/2020</u>	Mr. Vikas A. Shrivastava, Advocate for the applicant. Mr. Sudhir Sahu, P.L. for the State/respondent. Heard on I.A. No.01, an application for suspension of sentence and grant of bail to the applicant. This Criminal Revision is filed against the judgment dated 13-02-2019, passed in Criminal Appeal No.21/2018, by the Learned Sessions Judge, Jagdalpur, District- Bastar, C.G. arising out of the judgment of conviction and sentence dated 11.04.2018 passed in Criminal Case No.33/2017, by the learned Principal Magistrate Juvenile Justice Board, Jagdalpur, District- Bastar, C.G., whereby the applicant has been convicted and sentenced in the following manner:- <table><tr><th><u>Conviction</u></th><th><u>Sentence</u></th></tr><tr><td>U/s. 376/511 of I.P.C.</td><td>Imprisonment for 01 year and fine of Rs.100/- and in default of payment of fine, further</td></tr></table>	<u>Conviction</u>	<u>Sentence</u>	U/s. 376/511 of I.P.C.	Imprisonment for 01 year and fine of Rs.100/- and in default of payment of fine, further
<u>Conviction</u>	<u>Sentence</u>				
U/s. 376/511 of I.P.C.	Imprisonment for 01 year and fine of Rs.100/- and in default of payment of fine, further				

		imprisonment for 02 days.
	U/s. 06/18 of POCSO Act.	Imprisonment for 01 year and fine of Rs.100/- and in default of payment of fine, further imprisonment for 02 days.
	It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. The applicant had been on bail during the proceeding before the Juvenile Justice Board. However, he has been convicted for offence under Section 06/18 of POCSO Act and ordered to be detained for a period of one year at Special Home, Jagdalpur along with fine sentence of Rs.100/-. The appeal preferred has also been dismissed. The applicant was on bail during the course of trial as well as during the appellate stage, therefore, it is prayed that applicant may be granted bail during the pendency of this revision petition. Per contra, learned counsel for the State opposes the application. Heard learned counsel for the parties and perused the impugned judgment. Considering that the applicant had been in jail throughout and during the proceeding of trial, therefore, I find it proper that he should be released on bail during the pendency of this revision petition. Accordingly, I.A. No. 01, an application for suspension of sentence and grant of bail is allowed. It is directed that the jail sentence imposed upon the applicant shall remain suspended during the pendency of this criminal revision and he shall be released on bail on furnishing of a personal	

bond in the sum of Rs.25,000/- by his mother or guardian with one surety in the like sum to the satisfaction of the concerned Court, for his appearance before the Registry of this Court on **30th of April, 2020**. He shall thereafter appear through his mother or guardian 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 disposal of this criminal revision.

List this case for final hearing in due course.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)

Judge