

HIGH COURT OF CHHATTISGARH, BILASPUR

CR. A. No. 394 of 2017

Amrit Lal @ Bahadur, S/o. Makulal Patel, Aged about 46 Years, R/o. Vill.
Temar, P.S. Sakti, District Janjgir -Champa (C.G.)

---- Appellant

Versus

State of Chhattisgarh Through Police Station Sakti, Civil and Revenue District
Jangir Champa (C.G.)

---- Respondent

10/03/2017	Shri Ravindra Sharma, Advocate for the appellant. Shri Lav Sharma, Panel Lawyer for State/respondent. Head on admission. Admit. Call for the record of the court below. Also head on I.A. No. 01 of 2017, Application under Section 389 of the Code of Criminal Procedure for suspension of sentence and grant of bail. Appellant has been convicted for the offence under Sections 20(B) and 21(B) of NDPS Act, 1985 and sentenced to undergo rigorous imprisonment for 1 year with fine of Rs. 5,000/- in default of payment of fine amount additional R.I. for 6 months and rigorous imprisonment for 1 year with fine of Rs. 5,000/- in default of payment of fine amount additional R.I. for 6 months, with a direction to run all the sentences concurrently. Learned counsel for the appellant submits that during the trial the appellant was on bail and after the order of conviction he is jail and the appeal will take sometime for its final disposal and therefore the appellant may be released	

on bail.

On due consideration of facts and circumstances of the case and after taking into consideration the fact that the appellant has already undergone near about 1 month imprisonment and the maximum sentence imposed to the appellant is only 1 years, I am of the view that it is a fit case where the appellant is entitled for his release on bail.

Accordingly, I. A No. 01 is allowed.

It is ordered that in case the appellant deposits the entire amount of penalty and furnishes a personal bond for a sum of **Rs. 25,000/-** with one surety in like sum to the satisfaction of the concerned trial Court then the substantive jail sentence awarded to the appellant shall remain suspended during pendency of this appeal and he shall be released on bail for his appearance before the Registry of this Court on **19th June, 2017**. The appellant 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.

Certified copy today.

Sd/-

(Anil Kumar Shukla)

Judge

