



Order Sheet

CRA No. 336 of 2017

- Sekh Idbi Khan W/o Sekh Hamid Khan, Aged About 35 Years R/o Sirsa Khurd, Out Post - Jevra Sirsa, District Durg Chhattisgarh **--- Applicant**

Versus

- State of Chhattisgarh Through The Police Station Pulgaon, District Durg Chhattisgarh **--- Respondent**

19.04.2017	Mr. Jitendra Gupta, counsel for the appellant. Mr. Anupam Dubey, Dy. Govt. Adv. for the State. Heard on I.A. No. 2/2017 for suspension of sentence and grant of bail to the appellant. The appellant stands convicted by the Judgment dated 26.08.2016 passed by the learned Special Judge (NDPS Act), Durg, in NDPS Case No. 12/2014 for the offence punishable u/s 20(b)(2)(b) of the NDPS Act and sentenced to undergo R.I., for 4 years and to pay a fine of Rs.15,000/- with further default stipulation. Learned counsel for the appellant would submit that the appellant was on bail during trial and did not misuse the liberty granted to him. He further submits that the appellant is in is in jail since 26.08.2016 and the hearing of appeal will take time, therefore, the remaining substantive jail sentence may be suspended and the appellant may be enlarged on bail. Per contra, learned State Counsel opposes the prayer. Considering the fact that the appellant was on bail during trial and did not misuse the liberty granted to him and also the fact that hearing of the appeal will take time, I am inclined to suspend the further substantive jail sentence subject to appellant's depositing fine amount imposed by the trial Court. Accordingly, I.A.No. 2 is allowed and it is directed	



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that the execution of further substantive jail sentence the appellant shall remain suspended and he shall be released on bail on his depositing fine amount and on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **07th July, 2017**. He 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.

Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao