



2026:CGHC:10482

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CR.A. No. 894 of 2017

Bharat Lal Sahu, S/o. Dilbandhu, Aged About 24 Years, R/o. Village: Rairuma Khurd, Police Station -Dharamjaigarh, District -Raigarh, Chhattisgarh.

--- Appellant.

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station: Sitapur, District -Sarguja, Chhattisgarh.

---Respondent

13/06/2017	Mr. Vineet Kumar Pandey, counsel for the appellant. Mr. Avinash Singh, Panel Lawyer for the State. Heard. Admit. Call for the records of the Court below. Also heard on I.A. No.1/2017 for suspension of sentence and grant of bail. Appellant has been convicted by the judgment of conviction and order of sentence dated 03.06.2017, passed in Special Criminal Case No.02/2013 by the learned Special Judge, (NDPS), Ambikapur, District- Sarguja (C.G.) in the following manner :- <table><tr><td>U/s. 20-B(ii) B of N.D.P.S. Act</td><td>:</td><td>R.I. for 2 years and fine of Rs.15,000/- and in default of payment of fine, further under go 6 months additional R.I.</td></tr></table> Learned counsel appearing for the appellant would submit that the appellant was on bail during trial and he is in jail since 03.06.2017. He would further submit that the sentence awarded to the appellant is for 2 years and the appeal may take some time for its hearing on merits, therefore, sentence	U/s. 20-B(ii) B of N.D.P.S. Act	:	R.I. for 2 years and fine of Rs.15,000/- and in default of payment of fine, further under go 6 months additional R.I.
U/s. 20-B(ii) B of N.D.P.S. Act	:	R.I. for 2 years and fine of Rs.15,000/- and in default of payment of fine, further under go 6 months additional R.I.		



awarded to the appellant may be suspended and he may be enlarged on bail.

Per contra, the learned State counsel opposes the prayer for suspension of sentence and grant of bail.

Considering the nature of the period of sentence and the fact that the appellant was on bail during the trial and the appeal may take some time for hearing, I find that it is a fit case to suspend the sentence and release the appellant on bail.

Accordingly, I.A. No.1/2017, application for suspension of sentence and grant of bail, is allowed.

Execution of substantive jail sentence imposed on appellant shall remain suspended and he is directed to be released on bail on his depositing the fine amount of Rs.15,000/- and further executing a personal bond for a sum Rs.25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **10th August, 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge