

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 13 of 2016

- Devendra Yadav @ Vickky S/O Ashok Yadav Aged About 20 Years R/O Village Kosrangi, Police Station & Post Office - Kharora, District Raipur Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through The District Magistrate, Raipur, District Raipur Chhattisgarh.

---- Respondent

30/03/2016	Shri Shivendu Pandya, counsel for the appellant. Shri Vivek Sharma, G.A. for the State. Heard on I.A. No.,02/2016, application for suspension of sentence and grant of bail. By the impugned judgment dated 08.12.2015 passed by the Additional Sessions Judge (FTC) Raipur, district Raipur in Special Sessions Trial No. 1430/2014, the accused/appellant stands convicted under Section 8 of the Protection of Children from Sexual Offences Act and sentenced to undergo RI for four years and fine of Rs. 2,000/- with default stipulation. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to the appellant is of four years whereas the appellant is in jail since last about four months. He further submits that the appeal is likely to take sometime for its final disposal therefore he may be released on bail. On the other hand, counsel for the State opposes the bail application. Considering the totality of the fact in particular the short sentence awarded to the appellant and the detention	

period of the accused/appellant and further considering that the appeal may take sometime for its final disposal, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant.

Accordingly, the application is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 50,000/- with two sureties in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
Pritinker Diwaker
Judge