

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 939 of 2016

Tikesh Chandra S/o Harishankar Chandra Aged About 28 Years Caste Channahu, R/O Village Kataud, Police Station Dobhra, At Present R/o Janjgir, Near Radha Krishna Mandir, Ward No. 18, Police Station & Tahsil Janjgir District Janjgir Champa, Chhattisgarh.

Versus

State Of Chhattisgarh Through Station House Officer, Police Station A J A K, Korba, District Korba, Chhattisgarh.

26.07.2016	Mr. Arun Kochar, Counsel for the Appellant. Ms. M. Asha, Panel Lawyer for the State. Heard. Admit. Call for record. Also heard on I.A. No. 1 of 2016, application for suspension of sentence and grant of bail to the Appellant. The Appellant has been convicted for the offence punishable under Sections 294, 506 B IPC and Section 3(1)(10) of SC/ST Act to under RI for 2 years and to pay fine of Rs. 1000/- for each offence with default stipulations vide order dated 13.07.2016 passed by the Special Judge (SC/ST Act), District - Korba in Special Sessions Trial No. 23/2013. Learned Counsel for the Appellant submits that the Appellant was on bail during the trial and even after conviction the Court below has granted temporary bail to him and the present Appeal being of year 2016 there is no likelihood of an early final disposal of the case,	

therefore, he may be enlarged on bail.

Taking into consideration the total facts and circumstances of the case, particularly the short sentence of only 2 years imposed upon the Appellant and considering the fact that he was on bail during trial and also the Court below has granted him temporary bail even after conviction, further taking note of the fact, the present Appeal being of the year 2016, there is no likelihood of an early final disposal of the case, this Court is of the opinion that the present is a fit case to suspend the jail sentence and grant him bail.

Accordingly, the I.A. No. 1 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. 25000/- with one surety in like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the appeal.

List this case for final hearing in its due course.

Sd/-

**P. Sam Koshy
Judge**