

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 936 of 2016

Salim Baksh Sheikh S/o Shabbir Baksh Sheikh Aged About 41 Years The Then Clerk, District Antavyavsayi Samiti, Raipur, Presently Posted As Accountant, District Antavyavsayi Samiti, Bilaspur, Civil And Rev. Distt. Bilaspur Chhattisgarh.

Versus

State Of Chhattisgarh Through The Police Station Anti Corruption Bureau, Raipur Chhattisgarh.

26.07.2016	Mr. Sandeep Shrivastava, Counsel for the Appellant. Mr. B. Gopa Kumar, Dy. Advocate General 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 409/120B, 467/120B and 471/120B & 409 IPC to undergo R.I. for 3 years with fine of Rs. 10,000/- for each offence and under Sections 468/120B & 409, 477/120B and 420/120B IPC to undergo R.I. for 2 years with fine of Rs. 5,000/- for each offence and under Section 13(1)(d)/13(2) of Prevention of Corruption Act to undergo RI for 2 years with fine of Rs. 5000/- and default stipulations vide order dated 07.07.2016 passed by the Special Judge (Prevention of Corruption Act) & First Additional Sessions Judge, Raipur	

in Special Criminal Case No. 05/1997.

Learned Counsel for the Appellant submits that the Appellant was on bail during the trial 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 3 years imposed upon the Appellant and considering the fact that he was on bail during trial , 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**