



2026:CGHC:14747

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 642 of 2017

Kailash Barkade, S/o. Gendlal Barkade, Aged About 48 Years, R/o. Kandrapara, Ward No.19, Dongargarh, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Appellant**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh.

----Respondent

25.09.2017	Mr. B.P.Singh, Advocate for the Appellant. Mr. Suryakant Mishra, Panel Lawyer for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant stands convicted by the judgment dated 18.04.2017 passed by the Special Judge (NDPS Act) Rajnandgaon (C.G.) in Special Case No.20/2013 for the offence punishable under Section 20(b)(ii)(B) of N.D.P.S. Act, 1985 and sentenced to undergo R.I. for 5 years and fine of Rs.20,000/- with further default stipulation. Learned counsel for the appellant would submit that only 2 Kg Cannabis was seized and the I.O. & complainant are one and the same. He further submits that the appellant was on bail during trial and the appeal will take some time for hearing on merits, therefore, the appellant may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail. Perused the records. Taking into fact that the appellant was on bail during trial, considering the quantity of seized Cannabis and further taking into the fact that the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellant on bail.



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

Execution of further substantive jail sentence imposed on appellant shall remain suspended and he is directed to be released on bail on his 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 **04th December, 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)
Judge