



2025:CGHC:38789

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 762 of 2016

Jhumuklal Patel S/O Rambharos Patel Aged About 54 Years R/O Village Aaroud Chowki Halba P.S. Narharpur Revenue & Civil District North Bastar Kanker Chhattisgarh

---- Appellant

Versus

State Of Chhattisgarh Through : Police Station Narharpur Distirct North Bastar Kanker Chhattisgarh

----Respondent

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8/8/2016	Shri Praveen Kumar Tulsian, counsel for the Appellant. Smt. M. Asha, Panel Lawyer for the State. Heard on IA No.1/2016 for suspension of sentence and grant of bail. The Appellant has been convicted for the offence punishable under Sections 325 and 294 IPC and sentenced to undergo RI for 4 years and to pay fine of Rs1,000/- under Section 325 IPC and to undergo RI for 2 months with fine of Rs.100/- under Section 294 IPC with usual default stipulations vide order dated 17.6.2016 passed by the Additional Sessions Judge (FTC), North Bastar, Kanker in Sessions Trial No.106/2014. Learned Counsel for the Appellant submits that the Appellant is in jail for a period of about 3 months and therefore, taking into consideration the period of custody already undergone, he may be released on bail. On the other hand, counsel for the Respondent/State	



opposes the application for bail stating that the injured witness Ghasiram Patel had received two fractures on the forehead as well as on the head caused by the present Appellant and therefore, the Appellant is not entitled to be released on bail.

After hearing learned counsel for the parties, considering the totality of the facts and circumstances of the case, particularly taking into consideration the statement of the injured witness Ghasiram Patel, PW-3, this Court is of the opinion that the present is not a fit case where the Appellant can be released on bail.

Accordingly, I.A. No.01/2016 is rejected at this juncture.

Sd/-
(P. Sam Koshy)
JUDGE