



2025:CGHC:38789

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No.762 of 2016

Jhumuklal Patel S/o Rambharos Patel, aged about 54 years, R/o Village Aaroud Chowki, Halba, P.S.Narharpur, Revenue and Civil District North Bastar Kanker (C.G.).

---Applicant

Versus

State Of Chhattisgarh, Through P. S. Narharpur, District North Bastar Kanker (C.G.).

---Respondent

07.11.2017	Shri P.K.Tulsyan, Advocate for applicant. Ms.M.Asha, Panel Lawyer for State. Heard on I.A.No. 2 which is an application for suspension of sentence and grant of bail. Present is a repeat bail application. The earlier bail application having been rejected on 08/08/2016. The counsel for the applicant submits, that the appellant in the instant case have remained in custody for about 1 ½ years and that the maximum sentence awarded is of 4 years and that the appeal being of the year 2016, there is no likelihood of an early disposal of the appeal and prays for the appellant to be released on bail. The State counsel however opposing the bail application submits, that it is a case where the bail application had already been rejected by this court on 08/08/2016 and therefore the applicant did not deserves bail at this juncture. Having considered the rival contentions put forth on either side and on perusal of record, considering the period of custody undergone by the appellant i.e. for about 1 ½ years out of the maximum sentence of 4 years and that the conviction also being for the offence under Section 325 and 294 coupled with the fact that the Appeal is of the year 2016 and that there is no possibility of an early final disposal of the appeal this court is of the opinion, that a fit case for grant of bail to the appellant has been made out. Accordingly, I.A. No. 02/2017 for suspension of sentence and grant of bail is allowed. It is directed that the substantive jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- 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 them by the said Court till disposal of the appeal.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit