

# HIGH COURT OF CHHATTISGARH, BILASPUR

## Order Sheet

### Criminal Revision No. 959 of 2016

- Rajkumar Kumhar S/O Jogeshwar Kumhar Aged About 50 Years R/O Bombay House No.54, 56 Nehru Nagar East, Police Station- Supela, Tahsil, District- Durg, Chhattisgarh.

### **Versus**

- State Of Chhattisgarh Through The District Collector, Durg, District Durg, Chhattisgarh.

18.10.2016	<p>Mr. A.C. Sahu, Counsel for the Applicant.</p> <p>Mr. Vinod Tekam, Panel Lawyer for the State.</p> <p>Heard.</p> <p>Admit.</p> <p>Call for record.</p> <p>Also heard on I.A. No. 1 of 2016, application for suspension of sentence and grant of bail.</p> <p>The Applicant has been convicted for the offence punishable under Section 354 IPC to undergo R.I. for 1 year and to pay fine of Rs. 500/- with default stipulation vide order dated 24.09.2016 passed by the Fourth Additional Sessions Judge, Durg in Criminal Appeal NO. 219/2014.</p> <p>Learned Counsel for the Applicant submits that the maximum sentence that has been imposed</p>	
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upon the Applicant is that of one year and the Revision being of the year 2016 there is no likelihood of an early disposal of the case, therefore, he may be enlarged on bail.

Learned State Counsel however opposes the bail application.

Taking into consideration the total facts and circumstances of the case particularly the maximum sentence imposed upon the Applicant is that of one year and also considering the Revision being of the year 2016 there is no likelihood of an early 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 Applicant shall remain suspended during the pendency of this Revision and he shall be released on bail on 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 Applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the Revision.

List this case for final hearing in due course.

**Sd/-**

**P. Sam Koshy  
Judge**