



Order Sheet

CRA No. 572 of 2016

- Smt. Manju Thakur @ Guddi @ Laxmi W/o Vishnu @ Krishna @ Manoj Thakur Aged About 35 Years Gond, R/o Gandhi Chowk, Gopi Nagar, Police Station Gopi Nagar, District Tatanagar, Jharkhand. Present R/o Village Banaigarh (Devgaon Sondikunj), Police Station Banaigarh, District Sundargarh, Odisha. --- **Appellant**

Versus

- State of Chhattisgarh through the District Magistrate, Dhamptari, District Dhamtari, Chhattisgarh. --- **Respondent**

05.07.2017	Mr. Shivendu Pandya, counsel for the appellant. Mr. Ramakant Pandey, Panel Lawyer, for the State. Heard on I.A.No.1/2017 for suspension of sentence and grant of bail to the appellant. The appellant stands convicted by the Judgment dated 01.03.2016 passed by the Court of learned Special Judge, Dhamtari (constituted under NDPS Act, 1985) in Special Criminal Case No. 22/2015 and sentenced as under : <table><tr><td>U/s 20(B)(II)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985</td><td>:</td><td>R.I., for 4 years and fine of Rs.40,000/-, in default of payment of fine, additional simple imprisonment for six months</td></tr></table> Learned counsel for the appellant would submit that the maximum jail sentence imposed against appellant is 4 years R.I., whereas the appellant is in jail since 29.6.2015 that is almost she has undergone half of jail sentence of nearly two years and hearing of the appeal will take time, therefore, the remaining jail sentence of the appellant may be suspended and she may be enlarged on bail. Per contra, learned State Counsel opposes the prayer. Considering the fact that maximum term of sentence is R.I., for 4 years and the appellant has	U/s 20(B)(II)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985	:	R.I., for 4 years and fine of Rs.40,000/-, in default of payment of fine, additional simple imprisonment for six months	
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undergone the jail sentence of almost near about two years as she is stated to be in jail since 29.06.2015 and also taking into the fact that hearing of appeal will take some time, I am inclined to suspend the remaining jail sentence and release the appellant on bail subject to depositing half of the amount of fine i.e., Rs.20,000/- before the trial Court.

Accordingly, I.A.No. 1/2017 is allowed and it is directed that the execution of further substantive jail sentence of appellant shall remain suspended and she will be released on bail on her depositing fine amount of Rs.20,000/- and executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for her appearance before the Registry of this Court on **03.10.2017**. She will 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 her by the said Court till the disposal of this appeal.

Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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