



2026:CGHC:13446

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 237 of 2020**

- Pawan Kumar S/o Ashok Kumar Aged About 24 Years R/o Balhaira, Post Malpura, P.S. City Kotwali, Malpura, Agra, Uttar-Pradesh.

---- Appellant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station, G.R.P. Raipur, District- Raipur, Chhattisgarh.

---- Respondent

15/10/2020	Shri C.R. Sahu, Counsel for the appellant. Shri Ghanshyam Patel, G.A. for the State/Respondent. Heard through video conferencing. Heard on admission. Admit. Heard I.A. No. 1/2020, application for suspension of sentence and grant of bail. By the impugned judgment dated 29.1.2020 passed by the Sessions Judge (NDPS Act), Raipur, District- Raipur, (C.G.) in Special Criminal Case No. 65/2018, appellant stands convicted for the offence punishable under Sections as mentioned below: <table><tr><th><u>Conviction</u></th><th><u>Sentence</u></th></tr><tr><td>U/s 20(b)(ii)B of the N.D.P.S. Act</td><td>R.I. for 5 years and fine of Rs. 10,000/- with default stipulations.</td></tr></table> Learned Counsel appearing for the appellant submits that the appellant is innocent and has been falsely implicated in the present case. He further submits that appellant has been wrongly convicted by the trial Court without there being any clinching evidence available on record. It is further submitted that seizure witnesses have not supported the case of the prosecution. Out of jail sentence of five years, appellant has served about two and half	<u>Conviction</u>	<u>Sentence</u>	U/s 20(b)(ii)B of the N.D.P.S. Act	R.I. for 5 years and fine of Rs. 10,000/- with default stipulations.	
<u>Conviction</u>	<u>Sentence</u>					
U/s 20(b)(ii)B of the N.D.P.S. Act	R.I. for 5 years and fine of Rs. 10,000/- with default stipulations.					



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years. Appellant is in jail since 09.7.2018. Looking to the above, learned Counsel prays that the jail sentence imposed upon the appellant may be suspended and he may be released on bail.

On the other hand, learned Counsel appearing on behalf of the State opposes the same and supports the judgment of conviction.

Heard both the parties.

Considering the above facts and circumstances of the case, detention period and for the reasons that there is no likelihood of this appeal to come up for final hearing in near future, I am of this opinion that it will be proper to release the appellant on bail during the pendency of this appeal.

Accordingly, I.A. No. 01/2020 i.e. application 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 for a sum of total Rs. 4,00,000/- (each of Rs.2,00,000/-) with two local sureties in the like sum to the satisfaction of the concerned Trial Court for his appearance before the Registry of this Court on **20.04.2021**. He shall thereafter, appear before the concerned Trial Court on a date 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 disposal of this appeal.

List this case for final hearing in due course.

Sd/-
(Arvind Singh Chandel)
Judge