

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet

CRA No. 1324 of 2017

Tapash Sardar, S/o. Tarak Sardar, Aged About 24 Years, R/o. M.V. 52 Neerakhamar, Nilakhamari, Arkel, Police Station Balimela, District Malkangiri, Orisa.

---- Appellant**Versus**

State Of Chhattisgarh, Through Police Station Borai, District Dhamtari Chhattisgarh.

----Respondent

19.11.2019	Mrs. Renu Kochar, Advocate for the Appellant. Mr. Priyank Rathi, Panel Lawyer for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant stands convicted by the judgment dated 08.08.2017 passed by the learned Court below in Special Criminal Case No.128/2016 for the offence under Section 20(ख)(II)(ख) of Narcotics Drugs & Psychotropic Substance Act and sentenced to undergo R.I. for 6 years and fine of Rs.30000/- with usual default stipulation. Learned counsel for the appellant submits that the appellant is in jail since 27.10.2016, he has suffered more than 50% of the jail sentence and the appeal will take some time for hearing, therefore, he may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail, however, he do not dispute the fact that the appellant has already suffered half of the jail sentence.



Considering the fact that the appellant has suffered more than 50% of the jail sentence as he is in jail since 27.10.2016 and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellant on bail. Accordingly, I.A.No.1, application for suspension of sentence and grant of bail is allowed.

Execution of further substantive jail sentence imposed on appellant shall remain suspended and he is directed to be released on bail on his executing a personal bond for a sum Rs.25,000/- with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the Registry of this Court on **16th January, 2020**. He shall 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 him by the said Court, till the disposal of this appeal.

Certified copy, as per rules.

Sd/-
(Goutam Bhaduri)
Judge