

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 954 of 2014**

1. Smt. Sukhiyabai W/o Ashok Dhimar, Aged About 38 years
 2. Tikam @ Tilak @ Ajay S/o Devdas, Aged About 35 Years
 3. Sandeep @ Bharat S/o Ashok Dhimar, Aged About 26 Years,
 4. Ravi @ Ravindra Deshmukh S/o Jivanlal, Aged About 24 Years,
- All resident of Shakti Nagar, Police Station, Mohan Nagar, Distt. Durg (C.G.)

---- Appellants**Versus**

State of Chhattisgarh Through: Police Station, Mohan Nagar, Distt. Durg (C.G.)

---- Respondent

29/07/2015	<p>Shri Jitendra Gupta, Advocate for the Appellants.</p> <p>Shri Ajit Singh, Panel Lawyer for the State.</p> <p>I.A. No. 1 of 2014 has been filed for grant of bail to the Appellants.</p> <p>The Appellants stand convicted under Sections 302/34 and 201 IPC vide judgment dated 09.09.2014 in Sessions Trial No.222 of 2011 by the Second Additional Sessions Judge, Durg.</p> <p>Learned counsel for the Appellants submits that Appellant Nos.1 & 3 are wife and son of the deceased respectively. The body of the deceased was recovered from the Septic tank in the year 2008. Their conviction is based on absence of any defence under Section 313 Cr.P.C. pursuant to an alleged confessional statement made by them and at a subsequent stage in another case instituted in the year 2011. The deceased could not be identified in 2008 itself.</p> <p>We have heard the counsel for the State also.</p>	

In the facts and circumstances of the case, I.A. No. 1 of 2014 is allowed.

It is directed that the substantive jail sentences imposed against the Appellants in Sessions Trial No. 222 of 2011, dated 09.09.2014, under Sections 302/34 and 201 IPC, as ordered by the Second Additional Sessions Judge, Durg, shall remain suspended during pendency of the Appeal and they shall be released on bail on their furnishing a personal bond in the sum of Rs.10,000/- each with one surety in the like sum to the satisfaction of the concerned Trial Court.

Personal appearance is dispensed with.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE