

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 834 of 2018

1. Ramnandan Ram @ Chhannu Ram Son of Budhram, Caste- Bhuihar, aged about 23 years, resident of Village Dhardhari, Police Station- Asta, District- Jashpur (Chhattisgarh).
2. Bifnath Ram son of Boklo Ram, Caste- Bhuihar, aged about 23 years, resident of Village Dhardhari, Police Station- Asta, District- Jashpur (Chhattisgarh).
3. Suresh Ram son of Janku Ram, Caste- Bhuihar, aged about 22 years, resident of Village Dhardhari, Police Station- Asta, District- Jashpur (Chhattisgarh).

----Appellants

Versus

- State Of Chhattisgarh Through the Station House Officer, Police Station- Aasta, District- Jashpur (Chhattisgarh).

-----Respondent

06/08/2018	Shri Sanjeev K. Sahu, counsel for the Appellants. Shri Anil Pillai, Dy. A. G. for the State. Heard on I.A. No. 01/2018, application for suspension of sentence and grant of bail to the appellants. By the impugned judgement dated 18.05.2018, passed by the Sessions Judge, Jashpur in S. T. No. 05/2018, the appellants stand convicted under Sections 302/34 and 201/34 of IPC and sentenced them as under:	
	Sr. No.	Offence U/S
	1.	302/34 of Indian Penal Code
		Conviction
		For life imprisonment and fine of Rs. 1,000/-, in default of payment of fine 3

		months additional R. I. (to each appellants)
2.	201/34 of Indian Penal Code	R. I. For 5 years and fine of Rs. 1,000/-, in default of payment of fine 3 months additional R.I. (to each appellants)

Both the sentences have been directed to run concurrently.

Counsel for the appellants submits that main piece of evidence against the appellants is the evidence of last seen by Kumari Mini Bai (PW-3). It has been argued that the dead body of the deceased has been found after about 5 days of alleged quarrel of the appellants with the deceased & Mini Bai (PW-3). He submits that the time gap between the last seen and the recovery of the dead body is so much where only one conclusion can not be drawn that it is the appellants who committed the crime in question and therefore the appellants are entitled for bail.

On the other hand, learned State counsel opposes the bail application.

We have heard the parties and perused the record.

Considering the nature of evidence adduced by the prosecution, without further commenting on merit, we are of the opinion that present is a fit case to suspend the jail sentences imposed upon the appellants and release them on bail.

Accordingly, the application (I.A.No.01/2018) is allowed.

It is directed that the substantive sentences imposed upon the appellants shall remain suspended during the pendency of this appeal and they shall be released on bail on their furnishing a personal bond in the sum of Rs. 50,000/-each

with one surety in like sum to the satisfaction of the trial Court.
The appellants need not give appearance anywhere until and
unless otherwise directed.

Sd/-

Sd/-

(Pritinker Diwaker)
Judge

(Gautam Chourdiya)
Judge