

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 897 of 2018

- Nepal Singh Paikra @ Nepal Singh Kanwar S/o Anand Singh Paikra Aged About 45 Years R/o Village Mahraji, Chowki Giraudpuri, Police Station Gidhauri Tundra Civil And Revenue District Baloda Bazar Bhatapara Chhattisgarh

---- Appellant

Versus

- State of Chhattisgarh Through Police Station Gidhauri Tundra Civil And Revenue District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

02/07/2018	Shri Adil Minhaj, Advocate for the appellant. Shri SRJ Jaiswal, PL for the State. Heard. Admit. Call for the record. Also heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant stands convicted under Section 304A IPC and sentenced to undergo R.I. for 2 years. He has also been directed to pay compensation of Rs.50,000/- under Section 357 (3) Cr.P.C. vide judgment dated 22.06.2018 passed by the Third Additional Sessions Judge, Balodabazar (C.G.) in Sessions Trial No.80/2017. Learned counsel for the appellant would submit that the appellant is in jail since 09.10.2017 and the sentence awarded is only for two years and the appeal will take some time for hearing on merits, therefore, the substantive jail sentence imposed upon the appellant may be suspended and he may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail. Considering the short sentence and the fact that the appellant is in

jail since 09.10.2017 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 depositing the compensation amount of Rs.25000/- and 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 **20th of August, 2018**. 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.

The victim shall be entitled to receive the same after furnishing security.

Sd/-

Goutam Bhaduri

Judge

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