

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Revision No. 473 of 2016

Mahesh Yadav, S/o Bhagoli Ram Yadav, aged about 56 years, caste Yadav, R/o Bortara, Tahsil and P.S. Gurur, District- Balod (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Police Station Balod, District Balod (C.G.)

... Non-applicant

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17/06/2016	Mr. N.S. Dhurandhar, Advocate, for the Applicant. Ms. M. Asha, Panel Lawyer, for the State. Heard. Admit. Also heard on I.A. No. 1 of 2016, application for suspension of sentence and grant of bail to the Applicant. The Applicant stand convicted under Section 409 of IPC to undergo R.I. for three years with fine of Rs.1000/- with default stipulation, as ordered on 12.5.2016 by the IInd Additional Sessions Judge, Balod, in Criminal Appeal No.113 of 2015. Counsel for the Applicant submits that it is a case where the Applicant has been sentenced to undergo R.I. for three years with fine of Rs.1000/- and the fine amount has already been deposited. Counsel for the Applicant further submits that the Applicant was on bail during trial and during pendency of the appeal before the Court below and he has not misused the liberty of bail granted to him and therefore the substantive jail sentence imposed upon him may be suspended.	

On due consideration of the facts and circumstances and also taking note of the fact that the Applicant was on bail during trial as well as during pendency of the appeal, it is a fit case where the Applicant can be enlarged on bail.

Accordingly, I.A. No. 1 is allowed.

It is directed that the substantive jail sentence imposed upon the Applicant shall remain suspended during pendency of the present Criminal Revision and he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court.

Personal appearance is dispensed with.

Sd/-
(P. Sam Koshy)
JUDGE

Sharad