

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Revision No. 648 of 2016

Ganesh Tiwari S/o Jagannath Prasad Tiwari Aged About 30 Years R/o Amapara Kanker, P.S. Kanker, District North Bastar Kanker Chhattisgarh.

Versus

State Of Chhattisgarh Through District Magistrate, District Kanker Chhattisgarh.

15.07.2016	<p>Mr. Shakti Raj Sinha, Counsel for the Applicant.</p> <p>Mr. Vaibhav A. Goverdhan, Panel Lawyer for the State.</p> <p>Heard on admission.</p> <p>Admit.</p> <p>Call for record.</p> <p>Also, heard on I.A. No. 1 of 2016, which is an application for suspension of sentence and grant of bail to the Applicant.</p> <p>The applicant has been convicted for the offence punishable under Sections 420, 467, 468, 471, 477(A)/34 of IPC and sentenced to R.I. for 4, 5, 4, 1, 4 years and fine of Rs. 2000/-, 3000/-, 2000/- 1000/- 2000/- respectively with default stipulations vide Judgment dated 07.07.2016 passed by the Sessions Judge, North Bastar, Kanker (C.G.) in Criminal Appeal No. 24/2015.</p> <p>Learned Counsel for the Applicant submits that the applicant has been sentenced to RI for 5 years and he has already remained in custody for almost one year and 3 months and the present Revision being of year 2016</p>	

there is no likelihood of early disposal, therefore, he may be enlarged on bail.

Taking into consideration the total facts and circumstances of the case particularly the fact that the Applicant has already remained in custody for about 1 year and 3 months out of total sentence of 5 years imposed upon him and further the present Revision being of the year 2016 there is likelihood of no early disposal, this Court is of the opinion that the present is a fit case to suspend the jail sentence and grant him bail.

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

It is directed that the jail sentence imposed upon the Applicant shall remain suspended during the pendency of this Revision and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25000/- with one surety in like sum to the satisfaction of the concerned trial Court. The Applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the case.

List this case for final hearing in due course.

Certified Copy today.

Sd/-

**P. Sam Koshy
Judge**