

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 268 of 2016

- Devkant Dwivedi @ Debu S/O Ramfal Aged About 28 Years R/O Village Semartaal, Narhibhatha, P.S. Koni District Bilaspur Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station, Civil Lines, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

11/04/2016	Shri Sumit Singh, counsel for the appellant. Shri Vaibhav Goverdhan, P.L. for the State. Heard on I.A. No. 01, application for suspension of sentence and grant of bail. By the impugned judgment dated 16.02.2016 passed by the Sixth Additional Sessions Judge Bilaspur in Sessions Trial No.86/2014 the accused/appellant stands convicted under Sections 120-B, 363/34 and 365/34 IPC and sentenced to undergo RI for 3 years and fine of Rs. 100/- on each count with default stipulations. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to him is of three years whereas he is in jail since 10.06.2014. He submits that the appeal is likely to take sometime for its final disposal therefore he may be released on bail. On the other hand, counsel for the State opposes the bail application. Considering the totality of the fact in particular the detention period of the accused/appellant, without further commenting on merits, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant.	

Accordingly, the application is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
Pritinker Diwaker
Judge