

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 356 of 2016

- Mukchund Ram Rajwade S/O Late Raghunathram Aged About 60 Years R/O Village - Chitabahr, Chhuhipara, Police Station - Darima, District - Surguja Chhattisgarh

---- Appellant

Versus

- The State Of Chhattisgarh Through The Police Station Darima, District - Surguja Chhattisgarh

---- Respondent

15/03/2016	Shri Rahul Mishra, counsel for the appellant. Shri Ravindra Agrawal, P.L. for the State. Heard on admission. Admit. Call for the records of the court below. Also heard on I.A. No. 01, application for suspension of sentence and grant of bail. By the impugned judgment dated 05.03.2016 passed by the Special Judge (Electricity Act) Ambikapur, district Surguja in Special Criminal Case No. 47/2014 the accused/appellant stands convicted under Sections 304-A IPC and Section 135 of the Electricity Act and sentenced to undergo RI for one year and fine of Rs. 10,000/- with default stipulation. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to the appellant is of one year. He submits that during trial the appellant was on bail and even after pronouncement of judgment impugned he has been granted bail. He further 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 short sentence awarded to the 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. 50,000/- with two sureties in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

It is made clear that the appellant would be entitled for benefit of this order subject to depositing the entire fine amount of Rs. 10,000/-.

Sd/-

Pritinker Diwaker
Judge