



Criminal Appeal No. 63 of 2017

Rakesh Manikpuri S/o late Mohan Das, aged about 26 years, Caste Panika, R/o Purani Basti Korba, District Korba (CG)

---- Appellant

Versus

State of Chhattisgarh through the Excise Circle, Korba (CG)

---- Respondent

29.11.2018	Shri Shailendra Dubey, counsel for the appellant. Shri D. Wankhede, G.A. for the State. Heard on I.A. No. 01/18 for suspension of sentence and grant of bail. The appellant has been convicted for the offence punishable under Section 22 (B) of NDPS Act and sentenced to undergo RI for 5 years with fine of Rs.20,000/- in default of payment of fine to further undergo RI for 2 years vide order dated 06.12.2016 passed by the Special Judge (NDPS) Korba (CG) in Special (NDPS) Case No.29/2014. Counsel for the appellant submits that the maximum sentence imposed upon the appellant is 5 years and the appellant has already undergone almost half of the jail sentence awarded by the Court. He further submits that the appeal is of the year 2017 and there is no likelihood of its early final disposal and prays for releasing the appellant on bail. Per contra, State counsel opposes the bail application.



Considering the entire facts and circumstances of the case, particularly the fact that the appellant has already undergone about half of the sentence awarded and that the appeal being of the year 2017 there is no likelihood of its early final disposal, this Court is of the opinion that a strong case for grant of bail to the appellant at this juncture is made out.

Accordingly, I.A. No.01/18 for suspension of sentence and grant of bail is allowed.

It is directed that the substantive jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he will be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the appeal.

Let this matter be listed for final hearing in due course.

**Sd/-
(P. Sam Koshy)
JUDGE**