

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1201 of 2018

1. Jalil Ansari, S/o. Abdul Ansari, Aged About 24 Years.
2. Khalil Ansari, S/o. Abdul Ansari, Aged About 28 Years.

Both R/o. Village Daldaliyapara, Maharajanj P.S. Balrampur, District- Balrampur, Chhattisgarh.

---- Appellants

Versus

State Of Chhattisgarh, Through- P.S. Balrampur, District- Balrampur, Chhattisgarh.

----Respondent

10.08.2018	<p>Mr. Shakti Raj Sinha, Advocate for the Appellants. Ms. Madhunisha Singh, Panel Lawyer for the State.</p> <p>Heard Admit Call for the record. Also heard on I.A.No.1, application for suspension of sentence and grant of bail.</p> <p>Appellants have been convicted by the judgment dated 20.07.2018 passed by the learned Court below in S.T. No.36/2018 in the following manner with a direction to run the sentences concurrently.</p> <table border="1" style="width: 100%;"><thead><tr><th style="width: 50%;">Conviction</th><th style="width: 5%;">:</th><th style="width: 45%;">Sentence</th></tr></thead><tbody><tr><td>U/s. 342 r/w. 342/34 of I.P.C.</td><td>:</td><td>S.I. for 1 month and fine of Rs.100/-.</td></tr><tr><td>U/s. 294 of I.P.C.</td><td>:</td><td>S.I. for 1 month and fine of Rs.100/-.</td></tr><tr><td>U/s. 325 r/w. 325/34 of I.P.C.</td><td>:</td><td>S.I. for 6 months and fine of Rs.100/-.</td></tr><tr><td>U/s. 324 r/w. 324/34 of I.P.C.</td><td>:</td><td>S.I. for 3 months and fine of Rs.100/-.</td></tr></tbody></table>	Conviction	:	Sentence	U/s. 342 r/w. 342/34 of I.P.C.	:	S.I. for 1 month and fine of Rs.100/-.	U/s. 294 of I.P.C.	:	S.I. for 1 month and fine of Rs.100/-.	U/s. 325 r/w. 325/34 of I.P.C.	:	S.I. for 6 months and fine of Rs.100/-.	U/s. 324 r/w. 324/34 of I.P.C.	:	S.I. for 3 months and fine of Rs.100/-.
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U/s. 506 B of I.P.C.	:	S.I. for 3 months and fine of Rs.100/-.
U/s. 3(1-m) of ST SC Act	:	S.I. for 6 months and fine of Rs.100/-.
U/s. 3(1-n) of ST SC Act	:	S.I. for 6 months and fine of Rs.100/-.
		In default of payment of fine amount further S.I. of 7-7 days in each offence to each appellants.

Learned counsel for the appellants would submit that the sentence awarded is only for 6 months, the appellants were on bail during trial and still they are on bail and the appeal will take some time for hearing, therefore, the appellants may be released on bail.

Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.

Considering the period of sentence i.e. 6 months and the fact that the appellants were on bail during trial and still they are on bail and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellants on bail.

Accordingly, I.A.No.1, application for suspension of sentence and grant of bail is allowed.

Execution of further substantive jail sentence imposed on appellants shall remain suspended and they are directed to be released on bail on their executing a personal bond for a sum Rs.25,000/- with one surety each for the like sum to the satisfaction of the Trial Court for their appearance before the Registry of this Court on **08th October, 2018**. They shall thereafter appear before the Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to them by the said Court, till the disposal of this appeal.

Certified copy, as per rules.

Sd/-
(Goutam Bhaduri)
 Judge