

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 843 of 2015

1. Beerbal Korram S/o Santuram Korram, aged about 36 years, R/o Village- Kasawahi, Post Office & Police Station- Rudri, District- Dhamtari, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through: The District Magistrate, Dhamtari, District- Dhamtari, Chhattisgarh

---- Respondent

26/10/2015	Shri Shivendu Pandya, counsel for the appellant. Shri Chandresh Shrivastava, P.L. for the State. Heard on I.A.No.1/2015, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 18-05-2015 passed by Sessions Judge, Dhamtari, C.G. in S.T.No.37/2014 the accused/appellant stands convicted under Section 302/34 of the IPC and sentenced to undergo life imprisonment and to pay fine of Rs.100/-, in default of payment of fine, to undergo additional R.I. for 01 month. Contention of the counsel for the appellant is that the appellant has been convicted solely on the basis of his memorandum (Ex.-P/4) but the said piece of evidence is inadmissible. He further submits that on the so called disclosure statement of the appellant, the rope is alleged to have been seized but the said rope is not connected with the commission of the crime. On the other hand, counsel for the State opposes the application. Considering the totality of the case, in particular the nature of the evidence adduced by the prosecution, without further commenting on its merits, we are inclined to release	

the appellant on bail.

Accordingly the application is allowed.

It is directed that 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. This appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(Chandra Bhushan Bajpai)
Judge

Aadil