

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet

**CRA No. 764 of 2017**

1. Manoj @ Dulamani, S/o. Nirbhay Das, Aged About 21 Years.
2. Nirbhay Das, S/o. Vishramdas, Aged About 50 Years.
3. Smt. Vrindavati @ Futkihin, W/o. Nirmaldas, Aged About 45 Years.

All R/o. Village Chandibhona, Police Station Saraipali, District Mahasamund, Chhattisgarh.

**---- Appellants****Versus**

State Of Chhattisgarh, Through Police Station Saraipali, District Mahasamund, Chhattisgarh.

**----Respondent**

13.08.2019	<p>Shri Alok Kumar Pandey, Advocate for the Appellants.</p> <p>Smt. Deepti Shukla, Panel Lawyer for the State.</p> <p>Heard on I.A.No.1, repeat application for suspension of sentence and grant of bail.</p> <p>The appellants stand convicted by the judgment dated 10.05.2016 passed by the learned Court below in Session Case No.05/2016 for the offence under Section 304(B)/34 of I.P.C. and sentenced to undergo R.I. for 7 years and fine of Rs.2000/- each with usual default stipulation.</p> <p>Learned counsel for the appellants submits that the appellants have already suffered more than 50% of the jail sentence and the appeal will take some time for hearing, therefore, they may be released on bail.</p> <p>Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.</p>

Considering the fact that the appellants have suffered more than 50% of the jail sentence 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 **15<sup>th</sup> October 2019**. 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