

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 315 of 2016

- Balaram S/O Santram Marar Aged About 21 Years R/O Village Bardih, P.S. Doundilohara, District Balod, Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Doundi Lohara, District Balod, Chhattisgarh.

---- Respondent

13/04/2016	Shri U.R.Khosle, counsel for the appellant. Shri Vivek Sharma, G.A. for the State. Heard on I.A. No.01, application for condonation of delay in filing the appeal. For the reasons mentioned in the application, the same is allowed. The delay in filing the appeal is condoned. Also heard on admission. Admit. Heard on I.A. No.02, application for suspension of sentence and grant of bail. By the impugned judgment dated 16.12.2014 passed by the Second Additional Sessions Judge Balod in Sessions Trial No.28/2014 the accused/appellant stands convicted under Sections 342 and 354 IPC and Section 8 of the Protection of children from Sexual Offences Act and sentenced to undergo RI for one month, one year and three years respectively and fine of Rs. 500/- on each count with default stipulations. Contention of the counsel for the appellant is that the	

maximum sentence which has been awarded to the appellant is of three years whereas he has already remained in jail for about 1 year and four months. 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 detention period of 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. 10,000/- with one surety in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
Pritinker Diwaker
Judge