

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

CRA No. 417 of 2016

Emil Sai Ekka S/o Kadam Ekka Aged About 23 Years R/o
Village Saraipara Guturama, Police Station Sitapur District
Sarguja Chhattisgarh

---- Appellant

Versus

State of Chhattisgarh Through : Station House Officer, Police
Station : Sitapur District : Surguja Chhattisgarh

---- Respondent

24-3-2017	Mr. Atnu Ghosh, Adv. for the appellant. Mr. Ramakant Pandey, PL for the State. Application I.A. No. 2/16 for urgent hearing is disposed of. Heard on I.A. No. 1/2016 for suspension of sentence and grant of bail. Appellant has been convicted by the trial Court/3rd Additional Sessions Judge, Ambikapur, Distt. Sarguja vide judgment dated 23-1-2016 passed in ST No. 16/2014 for offence under Section 370 sub-section (3), IPC and sentenced to undergo RI for 10 years and to pay a fine of Rs. 500/-, in default of payment of fine to undergo additional SI for 6 months. Learned counsel for the appellant submits that the appellant has served sentence from 24-7-2013 till 6-8-2013 for 14 days, from 15-10-2015 till 22-12-2015, 79 days and from	

	pronouncement of judgment dated 23-1-2015 till date for 1 year and 2 months, total one year and 5 months. The accused was aged about 23 years at the time of incident. All the persons who were taken by the accused/appellant were recovered, though they remained in Salom (Tamilnadu) for about 1 year but they were aged about more than 30 years. With this, the sentence awarded may be suspended and the accused appellant may be released on bail. On the other hand, learned counsel for the State supported the objection filed on their behalf and opposed the bail. Perused the impugned judgment. After perusal of the evidence adduced by the prosecution before the trial Court, I am not inclined to suspend the sentence awarded to the appellant and to grant bail to him. Consequently, I.A. No. 1/2016 is hereby dismissed. This is an admitted appeal. List the matter for final hearing in its due course. Sd/- (Chandra Bhushan Bajpai) Judge	
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