

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 512 of 2016

Nakulram Aghariya S/o Mahettar Aghariya Aged About 34 Years R/o Village
Pusalda, Police Station Gharghoda, District Raigarh, Chhattisgarh.

---- Appellant

Versus

State Of Chhattisgarh Through Police Station Gharghoda, District Raigarh,
Chhattisgarh.

----Respondent

19/06/2017	Shri Praveen Dhurandar, counsel for the appellant. Smt. M. Asha, PL for the State. Heard on I.A. No.02/2016 bail application for suspension of sentence and grant of bail. Appellant has been convicted by the judgment dated 5/09/2013, passed in Sessions Case No.92/2012, passed by the First Additional Sessions Judge, Raigarh (C.G.) in the following manner with a direction to run all the sentences concurrently:- <table><tr><td>U/s 307 of IPC</td><td>:</td><td>RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.</td></tr><tr><td>U/s 458 of IPC</td><td>:</td><td>RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.</td></tr></table> Learned Counsel for the appellant submits that the appellant is in	U/s 307 of IPC	:	RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.	U/s 458 of IPC	:	RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.
U/s 307 of IPC	:	RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.					
U/s 458 of IPC	:	RI for 10 years and fine of Rs.5000/-, in default of payment of fine, to undergo 1 year RI.					

jail since 21/04/2012 i.e. he has suffered more than 5 years and 2 months of jail sentence and hearing of the appeal will take some time, therefore the appellant may be released on bail.

Learned State Counsel do not dispute the fact that the appellant is in jail since 21/04/2012.

Considering the fact that appeal is of year 2016, appellant is in jail since 21/04/2012 and hearing of the appeal will take some time, therefore I am inclined to release the appellant on bail.

Accordingly, I.A. No..02/2016 bail application for suspension of sentence and grant of bail is allowed.

Execution of further substantive jail sentence imposed on appellant shall remain suspended and he is directed to be released on bail on his executing a personal bond for a sum Rs.25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **11th September, 2017.** He 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 him by the said Court, till the disposal of this appeal.

Sd/-

(Goutam Bhaduri)

Judge

