

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 554 of 2016

Dinesh Baiga, S/o Prem Singh Baiga, aged about 23 years, R/o Village Fatepur, Police Station Dharamjaigarh, District: Raigarh (C.G.)

... Appellant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Dharamjaigarh, District Raigarh (C.G.)

... Respondent

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28/06/2016	Mr. Amit Singh, Advocate, for the Appellant. Mr. Anupam Dubey, Dy. Govt. Advocate, for the State. Heard on I.A. No. 2 of 2016, which is an application for suspension of sentence and grant of bail to the Appellant. The Appellant stands convicted under Section 12 of the Protection of Children from Sexual Offences Act to undergo R.I. for three years with fine of Rs.3000 with default stipulation, under Section 456 IPC to undergo R.I. for three years with fine of Rs.500/- with default stipulation, under Section 323 IPC to undergo R.I. for one month with fine of Rs.50/- with default stipulation and under Section 357 IPC to pay fine of Rs. 3550/-, as ordered on 31.12.2015 by the Additional Sessions Judge (F.T.C.), Raigarh in Special Case No. 11 of 2015. Counsel for the Appellant submits that the maximum sentence imposed upon the Appellant is of R.I. for three years and the Appellant has already remained under custody for a period of more than 10 months and that the appeal being of the year 2016 there is no likelihood of its early disposal and therefore he may be released on bail.	

Sharad	Counsel for the State however opposes the prayer for bail. Taking into consideration the total facts and circumstances of the case particularly the fact that the Appellant has already undergone custody of 10 months out of maximum sentence of three years, I am inclined to release the Appellant on bail. Accordingly, I.A. No. 2 is allowed. It is ordered that in case the Appellant furnishes a personal bond for a sum of Rs.20,000/- with one surety of like amount to the satisfaction of the concerned Trial Court then the execution of the substantive jail sentence awarded to him shall remain suspended during pendency of the instant Criminal Appeal and he shall be released on bail for his appearance before the Registry of this Court on 5.9.2016. The Appellant shall thereafter continue to appear before the Registry of this Court on all such subsequent dates as are given to him by the Registry in this regard, till disposal of this Criminal Appeal. Sd/- (P. Sam Koshy) JUDGE	
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