

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 874 of 2017

- Murli Yadav, S/o Khemashanker Yadav, Aged About 19 Years, Occupation Study, R/o Village Chitkidand Bansjhor, Police Station Dharamjaigarh, District Raigarh, Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dharamjaigarh, District Raigarh, Chhattisgarh.

---- Respondent

16/01/2018	Shri Amit Singh, counsel for the Appellant. Shri Anil Pillai, Deputy Advocate General for the State/Respondent. Heard on I.A. No. 1/2017, an application for suspension of sentence and grant of bail to the appellant. The appellant stands convicted under Section 201/34 of the IPC and sentenced to rigorous imprisonment for 5 years with usual default stipulations, by the impugned judgment of conviction and order of sentence passed in Sessions Trial No. 61/2016 by the First Additional Sessions Judge, Raigarh (C.G.). Learned counsel for the appellant submits that maximum sentence which has been awarded to the appellant is of 5 years whereas he has already remained in jail for about 9 months. He submits that the appellant appears to have helped his father for disposing of the body. However, there is no reliable evidence to this effect. On the other hand learned State counsel opposes the bail application. We have heard the learned counsel for the parties and perused the record. Considering the totality of the case, in particular, the nature of the evidence available against the appellant and the short term sentenced awarded to him and further considering the fact that the appeal may take some time for its final disposal, we are inclined to release the appellant on bail.

Accordingly, I.A. No. 1/2017 is allowed.

It is directed that the substantive jail sentence imposed upon appellant Murli Yadav shall remain suspended during pendency of this appeal and he shall be released on bail on his furnishing personal bond in sum of Rs.50,000/- with one surety to the satisfaction of the trial Court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(Sanjay Agrawal)
Judge