

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 634 of 2016

Heeralal Patel S/o Shivcharan Patel, aged about 56 years, R/o Korar, PS Korar, District
Uttar Bastar Kanker, CG

---- Applicant

Versus

State of Chhattisgarh through District Magistrate, Kanker, District Kanker, CG.

----Respondent

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| 27/09/2016 | <p>Smt. Indira Tripathi, counsel for the Applicant. Shri Rajendra Tripathi, P.L. for the State.</p> <p>Heard on I.A. No. 02/16 for urgent hearing of the case.</p> <p>On due consideration, I.A. No.02 is allowed.</p> <p>With the consent of the counsel for the parties, I.A. No.01 for suspension of sentence and grant of bail is taken for consideration.</p> <p>The applicant has been convicted for the offence punishable under Sections 420, 467, 468, 471 & 477 (a), 34 of IPC and sentenced to undergo RI for 4 years with fine of Rs.2,000/-, RI for five years with fine of Rs.3,000/-, RI for four years with fine of Rs.2,000/-, RI for one year with fine of Rs.1,000/- and RI for four years with fine of Rs.2,000/- respectively with default stipulations vide judgment dated 07.07.2016 passed by the Sessions Judge, Uttar Bastar Kanker in Criminal Appeal No. 22/2015 arising out of the judgment dated 06.06.2015 passed by the CJM, Kanker in Criminal Case No. 394/14.</p> <p>Counsel for the applicant submits that the applicant has already remained in jail for a period of one and a half year out of the total jail sentence of five years. He further submits that the co-accused Ganesh has already been released on bail and the</p> | |

present revision petition being of the year 2016 there is no likelihood of its early final disposal, therefore, the applicant may be released on bail.

State counsel however opposes the application for grant of bail.

Taking into consideration the period of jail sentence already undergone by the applicant and the fact that the revision petition is of the year 2016 and the co-accused has already been released on bail, this Court is of the opinion that it is a fit case to release the applicant on bail.

Accordingly, I.A. No.01 for suspension of sentence and grant of bail is allowed.

It is directed that the jail sentence imposed upon the applicant shall remain suspended during the pendency of this revision and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in like sum to the satisfaction of the concerned trial Court. The applicant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the revision.

Let this matter be listed for final hearing in due course.

Sd/-
(P. Sam Koshy)
JUDGE