

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1481 of 2015

- Ram Lal Sharma S/o Late Rati Ram Sharma, Aged About 63 Years, Retired Assistant Grade-2, At Present R/o Shyam Nagar Raipur, Distt. Raipur, Permanent Address Village Bhiso, Thana Pamgardha, Distt. Janjgir Champa, Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through : Anti Corruption Bureau, Raipur, Distt. Raipur, Chhattisgarh.

---- Respondent

18/01/2016	Shri Vivek Sharma, counsel for the appellant. Shri Avinash K. Mishra, Panel Lawyer for the State. Heard on I.A.No.01/2015, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 17.11.2015 passed by the Special Judge (Prevention of Corruption Act), Dhamtari in Special Criminal Case No.02/2011, the accused/appellant stands convicted under Sections 7 and 13(1)(D) read with section 13(2) of the Prevention of Corruption Act, 1988 & sentenced to undergo R.I. for four years with fine of Rs.1,000/- and R.I. for four years with fine of Rs.1,000/- respectively with default stipulations. Counsel for the appellant submits that during trial the accused/appellant was on bail and now he is in jail since 17.11.2015. He further submits that maximum sentenced which has been awarded to the appellant is of four years and the appeal is likely to take much time for its final disposal, therefore, the accused/appellant may be released on bail.	

On the other hand, State counsel opposes the bail application.

Considering the totality of the case, in particular the short term sentence awarded to the accused/appellant and the fact that appeal may take some time for its final disposal, without further commenting on merit, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant.

Accordingly, the application is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in like sum to the satisfaction of the concerned trial Court. The accused/appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-

(Pritinker Diwaker)
Judge