



Order Sheet

Criminal Appeal No. 1046 of 2016

- Shyam Das S/o Dhajaram Manikpuri, Aged About 56 Years R/o Village Singhul, P. S. Shivarinarayan, District Janjgir - Champa Chhattisgarh

Versus

- State Of Chhattisgarh Through : The Police Station Shivarinarayan, District Janjgir - Champa Chhattisgarh

23.08.2016	Mr. Vivek Singhal, Counsel for the Appellant. Ms. M. Asha, Panel Lawyer for the State. Heard. Admit. Call for record. Also heard on I.A. No. 1 of 2016, application for suspension of sentence and grant of bail to the Appellant. The Appellant has been convicted for the offence punishable under Section 20 (A) of the N.D.P.S. Act to under RI for 2 years and to pay fine of Rs. 5000/- with default stipulation vide order dated 04.08.2016 passed by the Special Judge (N.D.P.S.) Act, Janjgir in Special Case No. 03/2014. Learned Counsel for the Appellant submits that the Appellant was on bail during the trial and is in jail since the order of conviction dated 04.08.2016, therefore, he may be enlarged on bail. Taking into consideration the total facts and circumstances of the case, particularly the short sentence	



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of only 2 years imposed upon the Appellant and considering the fact that he was on bail during trial, further taking note of the fact, the present Appeal being of the year 2016, there is no likelihood of an early final disposal of the case, this Court is of the opinion that the present is a fit case to suspend the jail sentence and grant him bail subject to the Appellant depositing the fine amount before the Trial Courtt.

Accordingly, the I.A. No. 1 is allowed.

If the Appellant furnishes a receipt as proof of depositing the fine amount, 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. 25000/- with one surety in like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trail Court on each and every date given to him by the said Court till disposal of the appeal.

List this case for final hearing in its due course.

Sd/-

**P. Sam Koshy
Judge**