

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 1580 of 2015

1. Smt. Saguna Bai, W/O Late Ram Lakhan Dadoria Aged About 53 Years R/O Village Tulsikapur, Tah. -Mehgaon, District Bhind (M.P.).
2. Sudhir Dadoria S/O Late Ram Lakhan Dadoria Aged About 40 Years R/O Village Tulsikapur, Tah. - Mehgaon, District Bhind (M.P.).

---- Appellants

Versus

State Of Chhattisgarh Through Police Station Farasgaon Jagdalpur,
District Bastar Chhattisgarh.

----Respondent

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7/04/2016	Shri Kishore Bhaduri along with Shri Pawan Kesarwani, counsel for the Appellants. Smt Smita Ghai, PL for the State. Heard. IA. No.1/2015 has been filed for grant of bail to the Appellants in conviction under Sections 302/34 and 498-A/34 IPC dated 30.11.2015 by the Special Judge (Atrocities), Jagdalpur in Sessions Trial No.37/2002. Learned Counsel for the Appellants submits that earlier by judgment and order dated 26.11.2002, the Appellants were acquitted. Criminal Revision No.97/2003 was preferred by the brother of the deceased. No appeal had been filed challenging the acquittal. This Court on 4.12.2014, remitted the matter to the Trial Court with opportunity to lead evidence and re-appreciate the evidence. The Appellants have remained on bail through out the re-trial. There are no allegations against them	

that they have not co-operated or that they have misused the privilege of bail.

Learned Counsel for the State submits that after re-appreciation of the dying declaration, conviction has been ordered.

Considering the peculiar facts and circumstances of the case, I.A. No.1/2015 is allowed. It is directed that jail sentence imposed upon the Appellants shall remain suspended during pendency of the appeal and they shall be released on bail on furnishing a personal bond in the sum of Rs.20,000 with two sureties each in the like sum to the satisfaction of the Trial Court concerned. Personal appearance is dispensed with.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE