

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1094 of 2017

- Doctor Deepak Kumar Sahu S/o Late Bhaduram Sahu, Aged About 35 Years R/o Village Dongardula, Post Office And Police Station Nagri, District Dhamtari, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through The District Magistrate, Dhamtari, District Dhamtari, Chhattisgarh

---- Respondent

19/03/2019	Ms. Sharmila Singhai, counsel for the appellant. Shri Priyank Rathi, PL for the State. Heard on I.A. No.1/2019, which is an application for suspension of sentence and grant of bail. The appellant stands convicted under Section 10 of the Protection of Children from Sexual Offences Act 2012 and sentenced to undergo R.I. for 5 years and to pay fine of Rs.10,000/- with usual default stipulation vide judgment dated 07.07.2017 passed by the Special Judge, POCSO (FTC), Dhamtari, District Dhamtari (C.G.) in Special Criminal Case No.109/2016. Learned counsel for the appellant would submit that the appellant is in jail since 07.10.2016 and out of 5 years of jail sentence has suffered 2 years 5 months and 13 days as such has completed almost 50% of the jail sentence and the hearing of the appeal may take some time as the appeal is of the year 2017, therefore, the substantive jail sentence imposed upon the appellant may be suspended and he may be released on bail.

Learned State counsel do not dispute the fact that the appellant has suffered almost half of the jail sentence.

Considering the fact that the appellant is in jail since 07.10.2016 and has almost suffered 50% of the jail sentence and the hearing of the appeal may take time as it is of the year 2017, I am inclined to suspend the sentence and release the appellant on bail.

Accordingly, I.A.No.1/2019, application for suspension of sentence and grant of bail is allowed.

Execution of further substantive jail sentence imposed on appellant shall remain suspended and he is directed to be released on bail on his executing a personal bond for a sum Rs.25,000/- with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the Registry of this Court on **15th of May, 2019**. He shall thereafter appear before the Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to him by the said Court, till the disposal of this appeal.

Sd/-

Goutam Bhaduri

Judge

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