

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1095 of 2017

- Dilharan Suryavanshi S/o Late Kabilas Suryavanshi, Aged About 51 Years R/o Akaltari, Police Station Ratanpur, District Bilaspur, Chhattisgarh. --- **Appellant**

Versus

- State of Chhattisgarh Through Police Station Ratanpur, District Bilaspur, Chhattisgarh. ---- **Respondent**

18.07.2017	Mr. S. K. Guha. counsel for the appellant. Mr. Anupam Dubey, for the State. Heard. Admit. Call for the records. Also heard on I.A.No.1 of 2017 an application for suspension of sentence and grant of bail to the appellant. The appellant stands convicted by the Judgment dated 29.05.2017 passed by the learned Sessions Judge, Bilaspur in Sessions Trial No. 89/2016 and sentenced as under : <table><tr><td>U/s 329 of IPC</td><td>:</td><td>R.I.for 1 year and fine of Rs.1000/-, in default of payment of fine, additional R.I., for 2 months</td></tr><tr><td>U/s 341 of IPC</td><td></td><td>Simple Imprisonment for 15 days</td></tr></table> Learned counsel for the appellant would submit that the the maximum sentence awarded to the appellant is R.I., for 1 year and the hearing of appeal on merits will take some time. He further submits that the appellant was on bail during trial and did not misuse the liberty granted to him and looking to the short term sentence, his jail sentence may be suspended. Per contra, learned State Counsel opposes the prayer. Considering the fact that the maximum term of sentence is R.I., for 1 year and the hearing of appeal will	U/s 329 of IPC	:	R.I.for 1 year and fine of Rs.1000/-, in default of payment of fine, additional R.I., for 2 months	U/s 341 of IPC		Simple Imprisonment for 15 days	
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U/s 341 of IPC		Simple Imprisonment for 15 days						

R a o	take some time, I am inclined to suspend the further substantive sentence and release the appellant on bail. Accordingly, I.A.No. 1 is allowed and it is directed that the execution of further substantive jail sentence of appellant shall remain suspended and he appellant shall be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on 25.09.2017. 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. Cc as per rules. Sd/- GOUTAM BHADURI JUDGE	
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