

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1146 of 2016

- Karan @ Karunakar Joshi S/o Balram Joshi Aged About 37 Years R/o Village Postalur Bramhanpara Police Station Bhanpuri Present Address Shanti Nagar Near Durga Mandir Jagdalpur Police Station Kotwali Revenue & Civil District Bastar Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through : Police Station Bodhghat District Bastar Chhattisgarh

---- Respondent

28/02/2017	Shri P.K. Tulsyan, Advocate for the appellant. Shri Sumit Jhanwar, PL for the State. Heard on IA No.1 of 2017, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 31.08.2016 passed by the learned Sessions Judge/Special Judge,Jagdalpur, District-Bastar, Chhattisgarh in Special Case No. 01 of 2016, the appellant stands convicted under Sections 354 and 8 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to undergo R.I. for 2 years with fine of Rs.1,000/-, in default of payment of fine, to further undergo R.I. for two months and to undergo R.I. for 4 years and to pay fine of Rs.1,000/-, in default of payment of fine, to further undergo R.I. for two months, respectively, with a direction to run the sentences concurrently. Learned counsel for the appellant submits that the appellant is continuously in jail since the date of his arrest on 31st March, 2016. Appellant has challenged the conviction against him by the trial Court and has fair chance to succeed. He further submits that the appeal is likely to take some time for final disposal and, therefore, the appellant may be released on bail. On the other hand, learned counsel for the State has opposed the application.	

Considering the totality of the case and fact that appellant has remained in jail for about 11 months, therefore, I am inclined to release the appellant on bail.

Accordingly, the application is allowed.

It is directed, that the jail sentence imposed upon appellant shall remain suspended during the pendency of this appeal; and he shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **17.5.2017** and thereafter before the concerned trial Court on a date to be fixed by the Registry and on all such subsequent dates as would be given by that Court till final disposal of this appeal.

List this case for final hearing in due course.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

--	--	--