

HIGH COURT OF CHHATTISGARH, BILASPUR



CRA No. 1190 of 2016

2026:CGHC:12657

- Mardan Singh S/o Shri Dharu Singh Aged About 25 Years R/o Village Meriyakhedi Khurd, Police Station Chachauda, District Guna, Madhya Pradesh.

---- Appellant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station G.R.P. District Raipur, Chhattisgarh.

---- Respondent

22/08/2017	Ms. Kiran Jain, Advocate for the appellant. Shri SRJ Jaiswal, PL for the State. Heard on I.A.No.1/17, which is an application for suspension of sentence and grant of bail and I.A. No.2, which is an application for urgent hearing. The appellant stands convicted under Section 20 (B) (ii) (b) of the Narcotic Drugs and Psychotropic Substance Act and sentenced to undergo R.I. for 4 years with fine of Rs.10,000/- with usual default stipulation vide judgment dated 24.02.2016, passed by the Special Judge (N.D.P.S. Act), Raipur in Special Criminal Case No. 1042/2015. Learned counsel for the appellant would submit that the appellant is in jail since 17.08.2015 and has suffered more than 50% of the jail sentence and the appeal will take some time for hearing on merits, therefore, the appellant may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail. Considering the facts and circumstances of the case that the appellant is in jail since 17.08.2015 as such has suffered 50% of the jail sentence and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellant on bail on depositing the entire fine amount by the appellant. Accordingly, I.A.No.1, application for suspension of sentence



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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 depositing the entire fine amount of Rs.10,000/- and 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 **25th October, 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.

Sd/-

Goutam Bhaduri

Judge

Ashu