

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1212 of 2016

Suraj Kumar Suryavanshi, S/o. Bisun Suryavanshi, Aged About 24 Years, R/o. Village Nevra, Police Station Kota, District Bilaspur, Chhattisgarh.

---- Appellant

Versus

State Of Chhattisgarh, Through Police Station Kota, District Bilaspur, Chhattisgarh.

----Respondent

21.08.2017	Mr. Sunil Verma, Advocate for the Appellant. Mr. S.R.J.Jaiswal, Panel Lawyer for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. Appellant has been convicted by the judgment of conviction dated 30.06.2016 passed by the Additional Sessions Judge (F.T.C.) Bilaspur, District Bilaspur (C.G.) in Special Sessions Trial No.139 of 2015 in the following manner with a direction to run both the sentence concurrently. <table><tr><th>Conviction</th><th></th><th>Sentence</th></tr><tr><td>U/s. 452 of I.P.C.</td><td>:</td><td>R.I. for 1 year and fine of Rs.1000/-, in default of payment of fine, 3 months further R.I.</td></tr><tr><td>U/s. 8 of POCSO Act.</td><td>:</td><td>R.I. for 3 years and fine of Rs.500/-, in default of payment of fine, 3 months further R.I.</td></tr></table> Learned counsel for the appellant would submit that the appellant was earlier released on bail by this Court by order dated 30.09.2016 and he is in custody in view of the arrest warrant, therefore, considering the fact that the appeal will take some time of hearing on merits, the appellant may be released on bail.	Conviction		Sentence	U/s. 452 of I.P.C.	:	R.I. for 1 year and fine of Rs.1000/-, in default of payment of fine, 3 months further R.I.	U/s. 8 of POCSO Act.	:	R.I. for 3 years and fine of Rs.500/-, in default of payment of fine, 3 months further R.I.
Conviction		Sentence								
U/s. 452 of I.P.C.	:	R.I. for 1 year and fine of Rs.1000/-, in default of payment of fine, 3 months further R.I.								
U/s. 8 of POCSO Act.	:	R.I. for 3 years and fine of Rs.500/-, in default of payment of fine, 3 months further R.I.								

Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.

Considering the fact that earlier the appellant was already enlarged on bail and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellant on bail.

Accordingly, I.A.No.1, 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 **24th 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.

Certified copy, as per rules.

Sd/-
(Goutam Bhaduri)
Judge