

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1495 of 2018

Netram Birhor S/o Kendaram Birhor Aged About 35 Years R/o Village Sakin,
Amaldih, Police Station Kartala, District (Revenue And Civil) Korba
Chhattisgarh
---- Appellant

Versus

State Of Chhattisgarh Through District Magistrate, Korba District (Revenue
And Civil) Korba Chhattisgarh

----Respondent

23/06/2022	Shri Vineet Kumar Pandey, counsel for the appellant. Shri Lalit Jangde, Dy.G.A. for the State. Heard on I.A. No.2 application for modification of order dated 16/01/2019. Appellant has been convicted by the judgment dated 10/08/2018 passed in Sessions Case No.92/2007 by the Additional Sessions Judge, Fast Track Court, District Korba (C.G.) in the following manner: <table><tr><td>U/s 302 of IPC</td><td>:</td><td>Life imprisonment and fine of Rs.500/- in default of payment of fine amount 06 month additional R.I.</td></tr></table> This Court by its order dated 16/01/2019 suspended the sentence and granted bail to the appellant with an order to furnish personal bond alongwith two local sureties for the like amount, to be released on bail by suspending the jail sentence. Learned counsel for the appellant would submit that till date the	U/s 302 of IPC	:	Life imprisonment and fine of Rs.500/- in default of payment of fine amount 06 month additional R.I.
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appellant is in jail and the surety could not be arranged or furnished, therefore he may be enlarged on personal bond.

Taking into fact that considerable time has passed and surety could not be furnished and it is an appeal through legal aid, we direct that the substantive jail sentence awarded to the appellant shall be suspended and the appellant shall be released on bail on furnishing only a personal bond of Rs.25,000/- to the satisfaction of the trial court for his appearance before the concerned court on 27th July, 2022 and on all such further dates as may be given to him by the trial court the appellant shall appear before the trial court and the interval shall not be less than six months during the pendency of this appeal.

With the aforesaid observation, the order dated 16/01/2019 is modified to the extent indicated above.

Accordingly, I.A. No.2 application for modification of order dated 16/01/2019 stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Sd/-

(Rajani Dubey)
Judge