

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**Criminal Appeal No. 1383 of 2016**

- Alok Kumar Singh Rai S/o Virendra Kumar Singh Rai Aged About 19 Years R/o Village Govindpur, Post- Santha, Police Station- Lalganj, District- Vaishali Bihar, Present R/o- Near Sanjay Ground Dhangardeepa, Police Station- Kotwali, District- Raigarh, Chhattisgarh

**Versus**

- State Of Chhattisgarh Through:- D.M. Raigarh, Chhattisgarh

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| 11.11.2016 | <p>Mr. Vineet Kumar Pandey, Counsel for the Appellant.</p> <p>Mr. S.R.J. Jaiswal, Panel Lawyer for the State.</p> <p>Heard.</p> <p>Admit.</p> <p>Call for record.</p> <p>Also, heard on I.A. No. 1 of 2016, application for suspension of sentence and grant of bail.</p> <p>The Appellant has been convicted for the offence punishable under Section 411 of the IPC to undergo R.I. for 3 years and to pay fine of Rs. 1000/- with default stipulation vide order dated 27.10.2016 passed by the Additional Sessions Judge (F.T.C.), Raigarh in S.T. No. 19/2015.</p> <p>Learned Counsel for the Appellant submits that the maximum sentence that has been imposed upon the Appellant is that of 3 years and of which he has already remained in custody for about 9 months and the present Appeal being of the year 2016 there is no likelihood of an early final disposal of the case, therefore, he may be released on bail.</p> <p>Learned State Counsel however opposes the bail</p> |  |

application.

Considering the period of custody undergone by the Appellant and the total sentence imposed upon the Appellant is that of three years only and the present Appeal being of the year 2016 there is no likelihood of an early final disposal of the case, this Court is of the opinion that the present is a fit case to suspend the jail sentence and grant him bail.

Accordingly, the I.A. No. 1 is allowed.

It is directed that the jail sentence imposed upon the Appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25000/- with one surety in like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the appeal.

List this case for final hearing in due course.

Sd/-

**P. Sam Koshy**  
**Judge**