

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1583 of 2022**

1. Chhotelal S/o Late Ramlal Aged About 50 Years R/o Village Chakdand, Police Station Sonhat, District Koriya (C.G.)
2. Geeta Bai W/o Chhotelal Aged About 45 Years R/o Village Chakdand, Police Station Sonhat, District Koriya (C.G.)

---- Appellants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Ajak Baikunthpur, District Koriya (C.G.)

---- Respondent

14/10/2022	Shri Sunil Sahu, counsel for the appellants. Shri Sanjay Pathak, PL for the State. Heard on admission. The appeal is admitted for hearing. Call for records of the Court below. Also heard on I.A. No. 01 which is an application filed by the appellants for suspension of sentence and grant of bail. By the impugned judgment dated 14.09.2022 passed by the Special Judge SC/ST (Prevention of Atrocities) Act, Baikunthpur, district Koriya in Special Criminal Case No. 67/2017 whereby the accused/appellants stand convicted under Section 354 IPC and sentenced each of them to undergo RI for one year and fine of Rs. 100/- plus default stipulation. Contention of the counsel for the appellants is	

that the maximum sentence which has been awarded to the appellants is of one year and he was on bail during trial and even after passing of the impugned judgment they are on bail. He submits that the appeal is likely to take some time for its final disposal therefore they may be released on bail.

On the other hand, counsel for the State opposes the bail applications.

Considering the totality of the fact in particular the short sentence awarded to the appellants, without further commenting on merits, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellants.

Accordingly, the application is allowed.

It is directed that the execution of jail sentence imposed upon the appellants shall remain suspended during the pendency of this appeal and they shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in like sum to the satisfaction of the trial court. The appellants shall appear before the Registry of this Court on 06.12.2022 and thereafter appear before the trial court on a date to be given by the Registry and thereafter continue to appear on all subsequent dates as are given to them by the said court till disposal of this appeal.

List this appeal for final hearing in due course.

Sd/-

(Radhakishan Agrawal)
Judge

