

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.617 of 2013

Arising Out of PS.Case No. -117 Year- 2010 Thana -SHERGHATI District- GAYA

Ashish Kumar Gupta, Son of Bhagwan Das Gupta, Resident of Village
Master Mohalla Jori, P.S.-Jori, District.-Chatra (Jharkhand).

.... Appellant.

Versus

The State of Bihar

.... Respondent.

Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr. Abha Singh(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 21-01-2015 By filing I.A. No. 55 of 2015, sole appellant has renewed his prayer for suspension of sentence and grant of bail, during the pendency of this appeal, in the light of Order No. 4 dated 11.12.2013 whereby the prayer for suspension of sentence and grant of bail of the appellant was rejected with an observation that appellant would be at liberty to renew his prayer for suspension of sentence and grant of bail after one year, if the appeal is not taken up for hearing.

Learned counsel for the appellant submits that appellant has been convicted for the offence under Section 18 of the N.D.P.S. Act and sentenced to undergo rigorous imprisonment for ten years with a fine of Rs.50,000/-, in default of payment of fine, simple imprisonment for one year. The appellant is in jail

custody since 13.07.2010. It is further submitted that one year has been elapsed from the order dated 11.12.2013 and there is no likelihood of this appeal being heard in near future as the same has been filed in the year 2013.

In view of the aforesaid submission, let the sentence imposed against the appellant (above named) be suspended, during the pendency of this appeal and he be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum-Special Judge,(N.D.P.S. Act), Gaya, in connection with N.D.P.S. Case No. 28 of 2010. One of the bailers must be parents or close relatives of the appellant.

I.A. No. 55 of 2015 is, accordingly, disposed of.

(Rajendra Kumar Mishra, J)

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