

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 380 of 2016**

Dharamchand S/O Manaram Patre Aged About 28 Years R/O Village -
Janglore, Thana - Palari, Distt. Baloda Bazar Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through District Magistrate, Baloda Bazaar,
Bhatapara Chhattisgarh

-----Non-Applicant

For Applicant:	Shri Himanshu Sinha, Advocate.
For Non-Applicant/State:	Shri Lav Sharma, Panel Lawyer.

Single Bench: **Hon'ble Shri P. Sam Koshy, J**
Order On Board

29.4.2016

1. The present Revision has been preferred against order dated 26.3.2016 whereby the Additional Sessions Judge, Baloda Bazaar while hearing the Criminal Appeal No.20/2016, has rejected the application for suspension of sentence.
2. A perusal of the records shows that the Applicant has been found guilty for committing an offence under Sections 420 & 465 IPC and has been awarded RI for two years with fine of Rs.500/-. The pleadings also show that the Applicant is in jail since 5.6.2015 as such he has already undergone 8 months out of the total sentence of two years.
3. Learned Counsel for the Applicant submits that the revision is likely to take some time for its final disposal, therefore, the Applicant may be released on bail.
4. On the other hand, counsel for the Respondent/State opposes the

application for bail.

5. After hearing learned counsel for the parties, considering the totality of the facts and circumstances of the case, particularly the period of detention of the Applicant as well as the fact that the sentence awarded was of only two years, this Court is of the opinion that the instant Criminal Revision should be allowed.

6. Accordingly, the instant Criminal Revision is allowed. Pending the appeal for consideration before the Sessions Court, the sentence imposed upon the Applicant shall remain suspended and he shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court and shall also remain present before the Court below as and when he is ordered to appear by the Appellate Court.

Sd/-

(P. Sam Koshy)

JUDGE