

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No.456 of 2017

Laxman Satnami, aged about 46 years, son of Shri Ramlal Satnami, resident of Village Somaikala, Police Station Saja, District Bemetara (CG).

Petitioner

VERSUS

State of Chhattisgarh, through the Station House Officer, Police Station Saja, District Bemetara (CG).

---- Respondent

For Petitioner : Mr. Pradeep Singh Rathore, Advocate
For State : Mr. Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

10/04/2017

- (1) Heard on admission.
- (2) Admit.
- (3) Issue notice to the respondent.
- (4) Mr. Gary Mukhopadhyay, Dy.G.A. accepts notice on behalf of the State/respondent.
- (5) With the consent of the parties, the matter is heard finally.
- (6) By the impugned order dated 30.03.2017 passed by the learned Sessions Judge, Bemetara in Criminal Appeal No.29/2017, petitioner has been convicted for offence under Section 34(2) of Chhattisgarh Excise Act and sentenced to undergo rigorous imprisonment for one year and fine of Rs.25,000/- with default stipulations.

(7) Learned counsel appearing for the petitioner submits that the petitioner's application for suspension of sentence and grant of bail has been rejected by the appellate Court vide impugned order dated 30.03.2017. He further submits that he is in jail since 05.06.2016 and sentence is likely to be completed.

(8) I have heard learned counsel for the parties and perused the impugned order.

(9) Taking into consideration the fact that the petitioner is in jail since 05.06.2016 and he has already undergone 10 months of sentence. The Sessions Judge, Bemetara is directed to conclude and decide the appeal preferably within a period of three months from the date of receipt of copy of this order.

(10) In the meanwhile, petitioner/accused is directed to be released on bail on his executing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the trial Court. He 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.

(11) With the aforesaid direction, this petition is finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-