

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No.489 of 2017

M. Sudhakar Rao, S/o M. Rajarao, aged about 28 years, R/o New Deepak Nagar, Near Sunshine School, Durg, Police Station Mohan Nagar, District Durg (CG). **Petitioner**

VERSUS

State of Chhattisgarh, through District Magistrate Bemetara (CG).

---- Respondent

For Petitioner : Mr. Ajay Ayachi, Advocate
For State : Mr. Arun Sao, Dy. Advocate General

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

18/04/2017

(1) Heard.

(2) The petitioner has been convicted for offence under Sections 420, 467, 468, 471, 120B of the Indian Penal Code and sentenced to undergo rigorous imprisonment for five years and fine of Rs.2000/- with default stipulations vide order dated 16.11.2016. Against that order, the petitioner preferred an appeal before the Court of Sessions, Bemetara, which is on 02.12.2016 has been admitted for hearing, but his application for suspension and grant of bail has been rejected by the impugned order and case is fixed for final hearing on 26th July, 2017 against which, this petition under Section 482 of the Cr.P.C. has been filed by the petitioner/accused herein.

(3) Learned counsel appearing for the petitioner submits that the

petitioner is in jail since 18.09.2014 and he has already completed more than 2 years and seven months and as the appeal is likely to take some time for its final disposal, therefore, the impugned order be set-aside and the petitioner may be released on bail.

(4) On the other hand, learned counsel appearing for the State opposes the bail application.

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

(6) After hearing learned counsel for the parties, taking into consideration the nature and gravity of the offence and further considering the fact that the petitioner is in jail since 18.09.2014 and he has already completed for more than half of the sentence awarded to him. The Sessions Judge, Bemetara is directed to do well and decide the appeal on the next date of hearing preferably 27th July, 2017.

(7) In the meanwhile, petitioner/accused is directed to be released on bail on his executing a personal bond in the sum of Rs.15,000/- 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.

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

Sd/-
(Sanjay K. Agrawal)
Judge

