



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 184 of 2023

Govind Kanwar S/o Chhabi Kanwar Aged About 25 Years R/o Tangarpali, Bauddh Town, District Bauddh Town, (Orrisa)

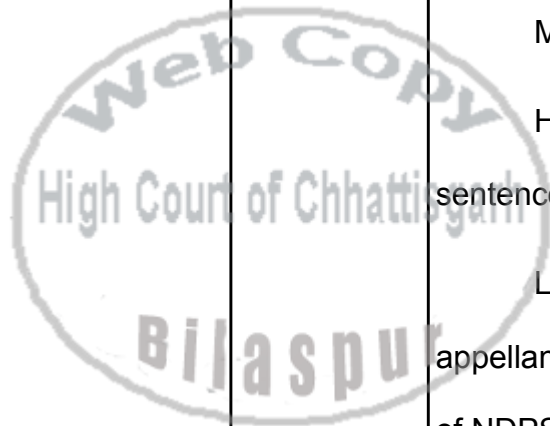
---- Appellant

Versus

State Of Chhattisgarh Through P.S. G.R.P. Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

16.02.2023	<p>Mr. Prasoon Agrawal, counsel for the appellant.</p> <p>Mr. B. L. Sahu, PL for the State.</p> <p>Heard on I.A. No.1, which is an application of suspension of sentence and for grant of bail.</p> <p>Learned counsel for the appellant submits that the present appellant stands convicted for the offence under Section 20 (b) (ii-B) of NDPS Act and sentenced to RI of 3 years with fine of Rs.10000/-.</p> <p>According to the counsel for the appellant fine amount has already been deposited and out of three years of imprisonment, the appellant has already remained in custody for a period of roughly 11 months i.e. 10 months & 4 days to be precise.</p> <p>Learned counsel for the appellant further submits that it is the appeal of the year 2023, there is no likelihood of early disposal of the appeal and therefore considering the short sentence imposed, the appellant be released on bail as of now.</p>
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State counsel however opposes the bail application on the ground firstly that it is the conviction under the NDPS Act and secondly on the ground that appellant is a resident of State of Odisha and not resident of State of Chhattisgarh.

Having heard the entire facts and circumstances of the case and also the period of custody undergone and the fact that contraband seized of the possession of the appellant is 3 KG and the the appeal is of the year 2023, there is no likelihood of early final hearing, this Court is of the opinion that a strong case for allowing I.A. No.1 is made out.

Accordingly, it is directed that the further jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with two sureties each in like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trial Court on 26.04.2023 or each and every date given to him by the trial Court till disposal of the appeal.

**Sd/-
(P. Sam Koshy)
JUDGE**

Rohit