



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 1177 of 2021

- Pawandas Mahant S/o Baratu Das Mahant, aged about 28 years, R/o Navagaon, P.S. Bhupdevpur, Tahsil and District- Raigarh (C.G.) (age is not mention cause title)

----- Appellant

versus

- Chhattisgarh State Electricity Distribution Company Cooperative through S. Khes Assistant Engineer Sub Division, Chhattisgarh State Electricity Distribution Company Kusmura District Raigarh C.G.

----- Respondent

08/12/2021	Shri Manoj Kumar Jaiswal, Advocate for the appellant. None for the respondent. Heard. Admit. Issue notice to the respondent. P.F. as per rules. Also heard on I.A. No. 01 of 2021, application under Section 389 of Cr.P.C. for suspension of sentence and grant of bail to appellant. By the impugned judgment dated 04.09.2021 passed by the Special Judge (Under Electricity Act, 2003) & First ASJ, Raigarh, District Raigarh (C.G.) in Special Case (Electricity Act) No. 72/2018, the appellant stands convicted and sentenced as under: <table border="1"> <thead> <tr> <th><u>Conviction</u></th><th><u>Sentences</u></th></tr> </thead> <tbody> <tr> <td>Under Section 135 of Electricity Act</td><td>S.I. for two years</td></tr> </tbody> </table> Considering the material available on record, particularly considering the sentence awarded to the appellant i.e. two years S.I., he was on bail during trial and after passing of the judgment he is on bail, he did not misuse the liberty so granted, and disposal of this appeal is likely to take some time, without further commenting on merit, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant and to release him on bail. Accordingly, the application (I.A. No. 01 of 2021) is allowed. It is directed that the execution of substantive jail sentence imposed	<u>Conviction</u>	<u>Sentences</u>	Under Section 135 of Electricity Act	S.I. for two years
<u>Conviction</u>	<u>Sentences</u>				
Under Section 135 of Electricity Act	S.I. for two years				



upon 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.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the trial Court. He shall appear before the Registry of this Court on **07th February, 2022** and thereafter shall appear before the trial Court on a date to be given by the Registry and shall continue to appear there on all such dates as are given to him by the said Court till disposal of this appeal.

Certified copy as per rules.

List this appeal for final hearing in due course.

Sd/-

(Gautam Chourdiya)

Judge

