

---

**(2009) 04 AHC CK 0136**

**Allahabad High Court (Lucknow Bench)**

**Case No:** None

Dharmendra

APPELLANT

Vs

State of U.P.

RESPONDENT

---

**Date of Decision:** April 22, 2009

**Hon'ble Judges:** Alok Kumar Singh, J

**Final Decision:** Disposed Of

---

### **Judgement**

Alok K. Singh, J.

Heard.

Admit.

Call for the lower court record.

List for hearing on its turn after the record is received.

Heard learned counsel for the appellant and learned A.G.A. on the prayer for bail.

The appellant has been convicted and sentenced in Sessions Trial No.177 of 2007 as under

1.Under Section 307 I.P.C.Five years" R.I. with a fine of Rs.2000/.

It is submitted that the severity of punishment is not much and the nature of accusation is also not very grave. During trial he was on bail which he never misused. It is also submitted that speedy justice is a fundamental right but the appeal may take a couple of years or even more in its final disposal. The appellant has every hope of success in the appeal.

The bail is, however, opposed by learned A.G.A.

In view of the aforesaid facts and circumstances and without entering into merits of the case, I find it to be a fit case for granting bail. Let the appellant (Dharmendra) be enlarged on bail on his furnishing a personal bond and two sureties in the like

amount to the satisfaction of the Magistrate/court concerned.

However, the fine is not stayed. Let the same be deposited within one month from the date of his release, if not already deposited. Subject to the above the sentence of imprisonment shall remain suspended during the pendency of the appeal.