

(2009) 04 AHC CK 0146

Allahabad High Court (Lucknow Bench)

Case No: None

Virendra Pratap Singh

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision: April 9, 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.68 of 2005 as under

1.Under Section 325/34 I.P.C. Two years" R.I. with a fine of Rs.1000/.

2.Under Section 323/34 I.P.C.Three months" R.I.

It is submitted that the severity of punishment is not much and the nature of accusation is also not very serious. During trial he was on bail which he never misused. Presently he is on interim bail. 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 (Virendra Pratap Singh) 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.