

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1076 OF 2009
(Arising out of SLP (Crl) NO. 8761 OF 2008)

Dinesh Kumar SinhaPetitioners

Versus

State of Jharkhand through CBIRespondent

JUDGMENT

H.L. Dattu,J.

- 1) Leave granted.
- 2) The appellant is convicted under sections 409, 420, 467, 468, 471/465 and 477A read with Section 120(b) of the Indian Penal Code as also under Section 13(2) read with section 13(1)(c)(d) of the Prevention of Corruption Act by the learned Special Judge, CBI, Ranchi and has ordered the accused to undergo imprisonment for a period of four years.
- 3) Against the impugned judgment of conviction and sentence passed, appellant has filed an appeal before the High Court. The appellant along with the appeal has also made an application for suspension of sentence

and grant of bail. The High Court has rejected the prayer. However has observed, that the appellant may renew his prayer for bail after serving half of the sentence.

- 4) It is submitted that the appellant has already undergone nearly two years of his sentence and also there is no possibility of early hearing of the appeal in the High Court, therefore it is requested that the appellant may be released on bail.
- 5) The learned counsel for the respondent opposes the request made by the learned counsel for the appellant.
- 6) Since the appellant has undergone almost two years of imprisonment as awarded by the Trial Court and also taking into account the fact that the appeal may not heard in the near future, we are of the opinion that in the peculiar facts and circumstances of this case, the applicant/appellant should be released on bail. Accordingly, we grant interim bail to the appellant, subject to the appellant furnishing the bail bond as well as surety to the satisfaction of the Special Judge, CBI, Ranchi.
- 7) The appeal is disposed of accordingly.

.....J.
[TARUN CHATTERJEE]

.....J.
[H.L. DATTU]

New Delhi,
May 15, 2009.

