



No. 668 of 2010 in Criminal Appeal No. 196 of 2009.

3. The appellant aggrieved by the order of conviction passed by the Special Court under MCOC Act, 1999 for the offence punishable under Section(s) 342, 452 read with 34, 395 read with 397 of the Indian Penal Code and Section(s) 3(1)(ii), 3(2) and 3(4) of the MCOC Act, 1999 had preferred appeal.

The appeal is pending before the High Court for its consideration. During the pendency of the appeal, the appellant moved an application for grant of bail. The said application is rejected by the High Court.

4. The learned counsel appearing for the appellant submitted that the appellant has already undergone six years out of seven years of sentence awarded by the learned Sessions Judge. Therefore, request is made to grant bail to the appellant during the pendency of the Criminal Appeal No. 196 of 2009 pending before the High Court.

5. Learned counsel appearing for the respondent opposes the request made by the learned counsel for the appellant.

6. Having heard the learned counsel for the parties and considering the number of years of sentence undergone by the appellant, we are of the opinion that the appellant should be released on bail.

7. Accordingly, we direct that the appellant shall be released on bail to the satisfaction of the trial court.

8. The appeal is allowed in terms of the aforesaid order.

.....J.  
(H.L. DATTU)

.....J.  
(CHANDRAMAULI KR. PRASAD)