

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (DB) No. 90 of 2019

Md. Sahid Ansari	---	---	Appellant
	Versus		
The State of Jharkhand	---	---	Respondent

CORAM: Hon'ble Mr. Justice Aparesh Kumar Singh
Hon'ble Mr. Justice Kailash Prasad Deo

For the Appellant: Mr. Gajendra Pd. Roy, Advocate
For the State: Mr. Satish Kr. Keshri, A.P.P.

5/ 10.07.2019 The sole appellant stands convicted in Special POCSO Case No. 89/2017 by the impugned judgment dated 11.01.2019 rendered by the Court of learned Additional Sessions Judge-I cum Special Judge, POCSO, Dhanbad for the offence punishable under sections 323/34, 341/34, 307/34, 354/34 and 376(D) of I.P.C. and section 6 of POCSO Act, while he has been acquitted from the charge under section 3(1)(w)(i) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act and has been sentenced to undergo imprisonment for one year under section 323/34 of the I.P.C; S.I. for one month under section 341/34 of the I.P.C; R.I. for ten years with a fine of Rs. 10,000/- and default sentence under section 307/34 of I.P.C and R.I. for twenty years with a fine of Rs. 30,000/- and default sentence under section 376(D) of I.P.C, vide impugned order of sentence dated 15.01.2019.

2. Admit.

3. Issue notice.

4. Call for the lower court records in connection with Special POCSO Case No. 89/2017 from the Court of learned Additional Sessions Judge-I cum Special Judge, POCSO, Dhanbad.

5. It appears from perusal of the impugned judgment that there were two named accused persons in the FIR, but charge sheet has been submitted against this appellant only. Learned Additional Public Prosecutor would ascertain whether final form was submitted against the other accused Roshan Kumar or investigation is still pending against him or he has been charge sheeted later on, if so, what is the status of the trial. An affidavit be filed within a period of four weeks.

(Aparesh Kumar Singh, J)

(Kailash Prasad Deo, J)

Ranjeet/