

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.144 of 2019

1. Prawez Ansari.
2. Mobin Ansari.
3. Jabbar Ansari.
4. Kaish Ansari.

..... Appellants.

-Versus-

The State of Jharkhand.

..... Respondent.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellants : Mr. Ramesh Kumar, Advocate
For the State : APP

Order No.03

Date: 25.04.2019

I.A. No.2159 of 2019:

The present interlocutory application has been filed for suspension of sentence awarded to the appellants vide order dated 29th January, 2019 passed by the learned Trial Court and for grant of bail during pendency of the present appeal.

Learned counsel for the appellants submits that the learned Trial Court failed to appreciate that there were major inconsistencies in the depositions made by the independent witnesses examined on behalf of the prosecution. Admittedly, there was a case and counter case between the parties. Though a joint compromise petition of the appellants and the informant was filed before the learned court below, however since Section 307 of the Indian Penal Code is not a compoundable offence, the same was ignored. Thus, the sentence awarded to the appellants by the learned Trial Court may be suspended and they may be released on bail during pendency of the appeal.

The learned APP opposes the prayer of the appellants for suspension of sentence and their release on bail.

Having heard learned counsel for the parties and on perusal of the LCR, the sentence awarded to the appellants by the learned Trial Court vide order dated 29th January, 2019 shall remain suspended during pendency of the present appeal.

Accordingly, the appellants, above named, are directed to be released on bail during pendency of the present appeal on furnishing bail bond of Rs.20,000/- (rupees twenty thousand), each, with two sureties of the like amount, each, to the satisfaction of learned Additional Sessions Judge-VI, Garhwa in connection with Sessions Trial No.42 of 2013.

I.A. No.2159 of 2019 stands disposed of.

(Rajesh Shankar, J.)

Sanjay/