

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.93 of 2022

Nasiruddin Ansari	...	Appellant
-Versus-		
1. The State of Jharkhand		
2. Raheema Khatoon.	...	Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD]

For the Appellant	: Mr. Deepak Kumar, Advocate
For the State	: Mr. Kumari Rashmi, A.P.P.

Order No.05

Dated 21st March, 2022

LA No.1566 of 2022

This interlocutory application has been filed by the appellant for suspension of his sentence during pendency of the instant appeal and for confirmation of the provisional bail granted to the appellant vide order dated 24.01.2022 till 23.03.2022 passed by learned District and Additional Sessions Judge-II, Bermo at Tenughat in connection with S.T No.136 of 2015 arising out of Dugda P.S. Case No.64 of 2014, corresponding to G.R No.1437 of 2014.

The appellant has been convicted for the offences under Section 498A/323 of the I.P.C and has been sentenced to undergo R.I. for three years and a fine of Rs.10,000 for the charges under Section 498A of I.P.C and in default of payment of fine S.I. for a period of 4 months. The appellant has also been convicted for the charges under Section 323 of the Indian Penal Code and further sentenced to undergo R.I. for six months. Both the sentences were directed to run concurrently.

It is submitted by the learned counsel for the appellant that the judgment and order of conviction passed by the learned Court below is illegal and the learned Court below has failed to consider the material contradiction in evidence of witnesses. It is submitted that the I.O has not been examined. Learned counsel for the appellant has submitted that the appellant has preferred this criminal appeal

within time and hence, provisional bail granted by the learned Court to the appellant on 24.01.2022 may be confirmed.

Learned counsel for the State has opposed the prayer and has submitted that the petitioner is the husband of the informant.

It transpires vide order dated 24.01.2022 that the learned court below has allowed the provisional bail to the appellant till 23.03.2022. Accordingly, the provisional bail granted to the appellant is hereby, confirmed.

I.A. No.1566 of 2022 stands allowed and accordingly disposed of.

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Admit.

Call for the L.C.R.

Learned counsel for the appellant is directed to implead the informant as respondent No.2 in this appeal.

Issue notice upon the newly added respondent No.2 by registered cover with A/D as well as under ordinary process, for which requisites must be filed within one week from today.

(Sanjay Prasad, J.)

Raja/-