

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.Appeal (S.J.) no. 244 of 2019

Rahul Kumar Ram	...Appellant
-V e r s u s-	
The State of Jharkhand	... Respondent

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant :- Mrs. Vandana Singh, Advocate
For the State :- Mr. Satish Kumar Keshri, A.P.P.

03/12.04.2019 **I.A. No. 3107 of 2019**

The present interlocutory application has been filed on behalf of the appellant for condonation of delay of 29 days occurred in filing of the present appeal against the judgment of conviction and order of sentence dated 30.11.2018 passed by the Additional Sessions Judge-II, Bokaro in Sessions Trial No. 288 of 2018.

Having heard the learned counsel for the appellant, learned A.P.P. and for the reasons stated in the present interlocutory application, the delay of 29 days caused in filing the present appeal is hereby condoned.

I.A. No. 3107 of 2019 is accordingly allowed.

Cr.Appeal (SJ) No. 244 of 2019

Admit.

Notice.

Mr. Satish Kumar Keshri, learned A.P.P., appears and waives notice on behalf of the State of Jharkhand.

Call for the L.C.R.

I.A. No. 3108 of 2019

The present interlocutory application has been filed on behalf of the appellant under Section 389(1) of Cr.P.C. for suspension of sentence awarded to the appellant vide order dated 30.11.2018 passed by the learned Trial Court and his release on bail during pendency of the present appeal.

Learned counsel for the appellant submits that the appellant has been convicted under Section 411 of the I.P.C.

and sentenced to undergo R.I. for one year with fine of Rs.10,000/-. The appellant remained in judicial custody all along the trial in connection with the present case since 14.06.2018 and therefore, considering the length of his judicial custody, the sentence awarded to the appellant by the learned Trial Court may be suspended during pendency of the present appeal.

The learned A.P.P. opposes the appellant's prayer for suspension of sentence and his release on bail.

Having heard the learned counsel for the appellant and the learned A.P.P., the execution of sentence awarded to the appellant by the learned Trial Court vide order dated 30.11.2018 shall remain suspended during pendency of the present appeal.

Accordingly, the appellant, above named, is directed to be released on bail during pendency of the present appeal on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Bokaro in connection with Sessions Trial No. 288 of 2018.

I.A. No. 3108 of 2019 stands disposed of.