

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**I.A. No.3364 of 2020**  
**In**  
**Cr. Appeal (S.J.) No.246 of 2019**

Barun Kumar ..... **Appellant**

**Versus**

The State of Jharkhand ..... **Respondent**

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**CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA**

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For the Appellant : Mr. Nilesh Kumar, Advocate

For the State : Mr. Tapas Roy, A.P.P.

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**10/Dated: 01<sup>st</sup> September, 2020**

1. Office to delete the name of Mr. Rakesh Kumar and mention the name of Mr. Tapas Roy, as counsel for the State, in the daily cause list.

**I.A. No.3364 of 2020**

1. This interlocutory application has been filed under Section 389(1) of the Code of Criminal Procedure for suspension of the sentence and grant of ad-interim bail, to the petitioner, during the pendency of the appeal.

2. The petitioner/ appellant has been convicted for the offence under Sections 25(1-A)/ & 26(2) of the Arms Act and sentenced to undergo R.I of five years and to pay a fine of Rs.15,000/- and in default thereof, to further undergo S.I of six months, in Sessions Trial No.460 of 20118 / T.R. No.82 of 2015.

3. Having heard learned counsel for the appellant, learned A.P.P and on perusal of the materials on record, it appears that the appellant has undergone half of the sentence as he is in custody since 25.02.2018.

Considering the period of custody, I am inclined to suspend the sentence and enlarge the appellant on bail, during the pendency of the appeal, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Judicial Commissioner - VII -cum- Special Judge, C.B.I (AHD) -cum- Spl. Court (CAW), Ranchi, in connection with Sessions Trial No.460 of 2018/ T.R. No.82 of 2015, subject to the condition that the appellant shall deposit **Rs.7,500/-** (Rupees

seven thousand five hundred), part of the fine amount, in the court below.

4. The appellant shall remain present before the Court, when the appeal is taken up for hearing, failing which his bail shall be cancelled.

5. I.A. No.3364 of 2020 stands allowed.

**(AMITAV K. GUPTA, J.)**

**Chandan/-**