

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.)No.261 of 2019

Sujeet Hansda Appellant
Versus
The State of Jharkhand Respondent

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

For the Appellant : Mr. R.S. Mazumdar, Sr. Advocate
For the State : Mr. Moti Gope, A.P.P

04/Dated: 06/08/2019

I.A. No. 5407 of 2019

The present interlocutory application has been filed on behalf of the appellant praying for grant of bail after suspending the sentence during the pendency of the appeal, who has faced trial in Sessions Trial No. 136 of 2015 arising out of Dumka (Muffasil) P.S. Case No. 87 of 2014 (G.R. No. 837 of 2014) being aggrieved and dissatisfied with judgment of conviction dated 19.02.2019 and order of sentence dated 20.02.2019 passed by Sri Pawan Kumar, learned Additional Sessions Judge-II-cum-F.T.C, Offence Against Women, Dumka whereby and whereunder the appellant was found guilty under section 376 I.P.C and has been sentenced to undergo R.I for seven years with fine of Rs. 10,000/- under section 376 I.P.C and in default of payment of fine, the appellant was to further undergo R.I for one years.

It appears that this appeal was filed on 07.03.2019 and under order dated 02.05.2019 the appeal was admitted for hearing and L.C.R was called for, but Xerox copy of L.C.R was received thereafter under order dated 01.07.2019 original L.C.R was called for which has been received.

It has been submitted by the counsel for the appellant that there was consensual relation ship and the appellant is in jail custody since 20.02.2019.

Learned AP.P has opposed the prayer for bail.

In the facts and circumstances of the case, I hereby suspend the sentence awarded to aforesaid appellant and accordingly, above named appellant is directed to be released on bail during pendency of this instant appeal on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand), with two sureties of the like amount each to the satisfaction of the court of Sri Pawan Kumar, learned Additional Sessions Judge-II-

cum- F.T.C, Offence Against Women, Dumka in connection with Sessions Trial No. 136 of 2015 arising out of Dumka (Muffasil) P.S. Case No. 87 of 2014 (G.R. No. 837 of 2014), subject to condition that one of the bailors must be close relative of the appellant. The appellant is directed to deposit entire fine amount within four weeks from today before the court below. Thereafter, the trial court will issue notice to the P.W.-6 victim and after her appearance, the aforesaid amount will be released in favour of victim after making proper verification.

I.A. No.5407 of 2019 stands allowed and disposed of.

Let a copy of this order be communicated to the concerned trial court through FAX.

Satyarthi/-

(Anant Bijay Singh, J.)