

IN THE HIGH COURT OF JHARKHAND AT RANCHI
I.A. No. 2828 of 2019
IN
Cr. Appeal (S.J.) No. 308 of 2019

Shankar Munda Appellant
Versus
The State of Jharkhand Respondent

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

For the Appellant : Mr. Ashok Kumar, Advocate.
For the State : Mr. Amrita Kumari, A.P.P.

03/Dated: 08/08/2019

Sole appellant has faced the trial in Sessions Trial No. 367/2011 before the Court of Shri Diwakar Pandey, learned Additional Judicial Commissioner-XVIII, Ranchi, who under judgment dated 28.08.2017 has held the appellant guilty under Sections 326 and 447 of the Indian Penal Code and further awarded sentence to undergo R.I. for five years and to pay a fine of Rs. 5,000/- and in default of payment of fine amount, he will have to undergo further R.I. for one year under Section 326 of the I.P.C. and further sentence to undergo S.I. for three months under Section 447 of the I.P.C. and both the sentences shall run concurrently.

The appeal was filed on 14.03.2019 and on 16.05.2019, in I.A. No. 2827/2019 the delay in filing the appeal was condoned and under order dated 12.06.2019, the appeal was admitted for hearing and original L.C.R. was called for.

Now the original L.C.R. has been received.

I.A. No. 2828 of 2019 filed under Section 389(1) of the Cr.P.C. on behalf of the appellant for suspension of sentence and for admitting the appellant on bail has been pressed.

Learned counsel for the appellant has submitted that the appellant is in jail custody from the judgment of conviction i.e. from 28.08.2017.

On the other hand, APP opposed the prayer for bail.

In the facts and circumstances of the case, keeping in view the period of detention, I am inclined to admit the appellant on bail after suspending the order of sentence during pendency of the appeal. The appellant is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Judicial Commissioner-XVIII, Ranchi, in connection with Sessions Trial No. 367/2011.

I.A. No. 2828 of 2019 stands allowed.

Let a copy of order be sent to the trial court through
'FAX'.

(Anant Bijay Singh, J.)

Sunil/