

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 329 of 2019

Mukesh Kumar

...

Appellant

Versus

The State of Jharkhand

.....Respondent

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

For the Appellant
For the State

:Mr. Sanjay Kumar, Advocate
:Mr. Bishwanath Ray, APP

05/Dated: 04.11.2020

1. Office to delete the name of Mr. Moti Gope and mention the name of Mr. Bishwanath Ray as counsel for the State in the cause list.

I.A. No.3602 of 2020

1. The 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 appellants during the pendency of the appeal.

2. The appeal is directed against the judgment dated 23.02.2019 of the learned District and Additional Sessions Judge-II, Bokaro, in S.T No. 186 of 2018, whereby appellant has been convicted for the offence under Sections 326 and 452 of the Indian Penal Code and sentenced to undergo rigorous imprisonment of 7 years for the offence under Section 326 of Indian Penal Code with a fine of Rs.25,000/-.

3. Learned counsel for the appellant has submitted that the appellant has remained in custody for two years and five months and this Court by order dated 25.07.2019 had granted liberty to the appellant to renew his prayer for bail on completion of two years of jail custody.

4. Learned APP has opposed.

5. Heard. Considering that the appellant has remained in custody for two years and five months out of imposed sentence of seven years, 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 like amount each to the satisfaction of the learned District and Additional Sessions Judge-II, Bokaro, in S.T No. 186 of 2018, subject to the condition that the appellant shall deposit Rs.15,000/- as part of the fine amount in the court below.

6. In the result I.A. No.3602 of 2020 stands allowed.

(AMITAV K. GUPTA, J.)