

1.Ram Singh Banara, S/o Triban Banra
2.Mangu Banara, S/o Porma Banara
Versus
The State of Jharkhand

... **Appellant(s).**
... **Respondent(s).**

For the Appellant(s) : Ms. Shruti Shrestha, Advocate
For the State : Mr. Azeemuddin, A.P.P.

This interlocutory application has been filed by the appellant No.1, praying therein to suspend the sentence and release him on bail during the pendency of this appeal.

3. Heard, learned counsel for the appellant and learned A.P.P. for the State and have gone through the impugned judgment, the evidence and the Trial Court Records.

5. Appellant has remained in custody from 31.12.2016. From the statement of the eye witness, P.W.-7 it is clear that this appellant has not given any fatal blow on the head of the deceased. Thus, this case can be distinguished from the case of the co-appellant, whose bail has been rejected.

6. Considering the statement of P.W.7 and the fact this appellant has not given any fatal blow and was not armed with the murder weapon, we are inclined to allow this Interlocutory

application. Accordingly, upon suspending the sentence, the appellant No.1, namely, Ram Singh Banara is directed to be released on bail during the pendency of this appeal, on furnishing bail bonds of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Ghatsila in connection with Session Trial No.164 of 2017 with a condition that the appellant No.1 shall appear and mark his attendance before the Registrar, Civil Court, Ghatsila, once in every four months till the disposal of this appeal

7. Accordingly, I.A. No.7439 of 2024 stands allowed.

(ANANDA SEN, J.)

(GAUTAM KUMAR CHOUDHARY, J.)

R.S.