

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No. 399 of 2019

Ganesh Yadav		...	...	Appellant
	Versus			
The State of Jharkhand		...	...	Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant : Mr. Deepak Kumar, Advocate
For the State : Mr. Satish Kumar Keshri, A.P.P.

02/22.04.2019 The learned counsel for the petitioner submits that in the very first page of the impugned judgment dated 06.03.2019, the F.I.R. has wrongly been mentioned as Telaiya P.S. Case No. 78/2015, in place of Telaiya P.S. Case No. 78/2017. However, the correct number of the F.I.R. has been given in paragraph no. 2 of the impugned judgment, wherein the F.I.R. has been mentioned as Telaiya P.S. Case No. 78/2017. It is thus prayed that the defect as pointed out by the office may be ignored.

Considering the aforesaid prayer of the learned counsel for the petitioner, the defect as pointed out by the office is ignored.

Admit.

Issue notice.

Mr. Satish Kumar Keshri, the learned A.P.P, appears and waives notice on behalf of the respondent-State of Jharkhand.

Call for the L.C.R.

I.A. No. 3697 of 2019

The present interlocutory application has been filed on behalf of the appellant under Section 389(1) Cr.P.C. for suspension of sentence and for confirmation of the provisional bail granted to the appellant vide order dated 06.03.2019 which was extended vide order dated 06.04.2019 by the learned Additional Sessions Judge-II, Koderma, in connection with S.T. No. 80 of 2017.

The learned counsel for the appellant submits that subsequent to the judgment of conviction and order of sentence awarded to the appellant by the trial court, the appellant was granted provisional bail vide order dated 06.03.2019 which was extended vide order dated 06.04.2019 till 22.04.2019 i.e., today to prefer an appeal before this Court.

Having heard the learned counsel for the appellant and the learned A.P.P., the sentence awarded to the appellant by the learned trial court vide order dated 06.03.2019 shall remain suspended during the pendency of the present appeal.

Accordingly, the provisional bail granted to the appellant by the learned trial court vide order dated 06.03.2019 is hereby confirmed.

I.A. No. 3697 of 2019 stands disposed of.

(Rajesh Shankar, J.)

Manish