

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (S.J.) No.431 of 2019

Uday Shankar Sahu @ SahAppellant
Versus
The State of JharkhandRespondent

Coram: HON'BLE MR JUSTICE RONGON MUKHOPADHYAY

For the Appellant : Mr. R.S. Mazumdar, Sr. Advocate
For the State : Mr. Manoj Kumar No. 2, APP.

I.A. No. 4149 of 2019

07/16-1-2020 Heard Mr. R.S. Mazumdar, learned senior counsel for the appellant, who has pressed this interlocutory application for grant of bail during pendency of the appeal and opposed by Mr. Manoj Kumar No. 2, learned A.P.P.

It has been submitted by the learned senior counsel for the appellant that no arms and ammunitions were recovered from the conscious possession of the appellant. It has further been submitted that the appellant has remained in custody for a period of about six months during pendency of the appeal and after his conviction, he has remained in custody for about ten months.

Learned A.P.P. has opposed the prayer made by the learned Sr. Counsel for the appellant.

It appears that two accused persons were proceeded against being brothers. It also appears that arms and ammunitions were recovered from co-convict-Jai Prakash Sahu and on search made in the room of the present appellant, one country made pistol loaded with 38 bore cartridge was also recovered. It therefore appears that nothing was recovered from the conscious possession of the appellant. Appellant has remained in custody for about 16 months.

In view of the aforesaid fact, the appellant, named above, is directed to be released on bail, during pendency of the appeal, on furnishing bail bond of Rs.10,000/- (Ten thousand only), with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Palamau at Daltonganj in Sessions Trial No. 264 of 2018.

I.A. No. 4149 of 2019 stands allowed and disposed of.

(Rongon Mukhopadhyay, J)

Rakesh/-