

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (SJ) No. 1108 of 2025

Sudhir Thakur, aged about 68 years, Son of Late Jagdish Thakur, Resident of Village- Daha, P.O. & P.S.- Hunterganj, District- Chatra, State- Jharkhand.

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

Vrs.

1. The State of Jharkhand

2. Victim

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

.....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Vikas Kumar, Advocate

For the State : Mr. Shailesh Kr. Sinha, A.P.P.

I.A. No. 1160 of 2026

07/23.04.2026 The instant interlocutory applications have been preferred under Section 430(1) of the BNSS, 2023 for suspension of sentence of the appellant during pendency of this appeal.

2. Appellant has been convicted for the offence under Section 366 of the IPC and has been sentenced to undergo S.I. for Five years with a fine of Rs. 30,000/- and a default sentence of S.I. for Three months in connection with judgment of conviction dated 22.08.2025 and order of sentence dated 27.08.2025 passed in POCSO Case No. 05 of 2016 arising out of Hunterganj P.S. Case No. 59 of 2014 by the court of learned District & Additional Sessions Judge-cum-Special Judge (POCSO Act), Chatra.

3. It has been submitted by the learned counsel for the appellant that although he has been charged under Section 363, 366(a), 376(i)/34 of the IPC and under Section 4 of the POCSO Act, however he has been convicted under Section 366 of the IPC. It has been further submitted that appellant have remained in custody for more than 8 months.

4. Learned counsel for the State has opposed the prayer for suspension of sentence.

5. Having heard learned counsel for the parties and also having considered the period of custody undergone by the appellant, I am inclined to enlarge the appellant on bail by suspending his sentence during pendency of this appeal.

6. However, the learned Trial Court, before passing the release order, shall satisfy itself regarding the sentence served by the appellant i.e., period of more than 8months.

7. Accordingly, the appellant, named above, is directed to be released on bail, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge -cum- Special Judge (POCSO) Act, Chatra in connection with POCSO Case No. 05 of 2016 arising out of Hunterganj P.S. Case No. 59 of 2014, subject to the condition that the appellant will remain present before the Court when the appeal is taken up for hearing, failing which, his bail shall be cancelled.

8. I.A. No. 1160 of 2026 stands allowed and accordingly disposed of.

(Rajesh Kumar, J.)

23.04.2026
A. Mohanty

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