

Cr. Appeal (D.B.) No.1650 of 2023

Soma Tarkot @ Soma Torkot ... **Appellant(s).**
Versus
The State of Jharkhand ... **Respondent(s).**

CORAM : SRI ANANDA SEN, J.
SRI SUBHASH CHAND, J.

For the Appellant(s) : Mr. Shiv Prasad Singh, Advocate
For the State : Mr. Sanjay Kr. Srivastava, A.P.P.

05 /20.03.2024: I.A. No.8700 of 2023

This interlocutory application has been filed by the appellant, praying therein to suspend the sentence and release him on bail during the pendency of this appeal.

2. The appellant has been convicted and sentenced in connection with S.T. No.147 of 2012, for the offence under Sections 302/149, 307/149, 353/149 and 148 of IPC. He has been sentenced to undergo rigorous imprisonment for life and a fine of Rs.5,000/- under Section 302/149 of IPC along with other sentences.

3. Heard, the 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.

4. This is the case where there was firing and cross-firing between the police and extremist, one of the police died in the instance. This appellant was apprehended from the spot. There are evidence to suggest that huge incriminating articles like explosive substance and other materials etc. were recovered from his possession.

5. Considering the evidence, we are not inclined to release the appellant.

6. Accordingly, I.A. No.8700 of 2023 stands dismissed.

7. After dismissal of the bail application, the learned counsel for the appellant went on arguing stating that he wants to further argue as the appellant is in custody since long.

8. At this stage, we offered the appellant to argue the entire appeal on merits so the appeal can be disposed of finally considering the custody. We also expressed that we will rely on the document and paper books which is available with the appellant. The learned counsel express inability and says that he is not ready for final hearing of this appeal.

(ANANDA SEN, J.)

(SUBHASH CHAND, J.)

R.S.