IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No.1184 of 2017

Arun Bhagat .... Appellant

Versus

The State of Jharkhand .... Respondent

CORAM: HON'BLE MR. JUSTICE H.C. MISHRA
HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. B.M. Tripathy, Sr. Advocate
Mr. Naveen Kumar Jaiswal, Advocate
For the Respondent : Mr. Shiv Shankar, Advocate

.....

The matter was taken up through Video Conferencing. Learned counsels for the parties had no objection with it and submitted that the audio and video qualities are good.

.....

I.A. No.10570 of 2019

4/10.09.2020 Heard learned counsel for the appellant and learned counsel for the State on the interlocutory application filed by the appellant for granting bail during the pendency of the appeal.

The appellant has been convicted for the offences under Section 4 of the POCSO Act and sentenced to undergo R.I. for 10 years with fine of Rs.20,000/-, which was ordered to be given to the victim by way of compensation.

Learned senior counsel for the appellant submits that the appellant has already served more than half of the sentence and he is ready to deposit the amount of fine to be paid to the victim as compensation.

In the facts and circumstances of the case and taking into consideration the period of sentence, we are inclined to release the appellant on bail. Accordingly, appellant Arun Bhagat is directed to be released on bail, during the pendency of this appeal, on furnishing bail bond of Rs.10,000/- (ten thousand), with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, POCSO Court, Khunti, in connection with S.T. No.163 of 2015, subject to deposit of fine imposed on appellant, which shall be disbursed in favour of the victim.

The Trial Court below, however, before issuing the release order, shall satisfy itself that the appellant has served more than half of the sentence and in case if this statement is found to be incorrect, the release order shall not be issued by the Trial Court below and the matter shall be reported to this Court.

The aforesaid interlocutory application is accordingly, allowed with the direction as above.

(H. C. Mishra, J.)

(Rajesh Kumar, J.)

R.Kumar