

IN THE HIGH COURT OF JHARKHAND AT RANCHI
I.A. No.405 of 2020
In
Cr. Appeal (S.J.) No.38 of 2020

Budhram Uraon **Appellant**

Versus

The State of Jharkhand **Respondent**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Appellant : Mr. N. K. Gupta, Advocate
For the State : Mrs. Snehlika Bhagat, A.P.P.

06/Dated: 14th September, 2020

1. Office to delete the name of Mr. Ramesh Kumar and mention the name of Mrs. Snehlika Bhagat, as counsel for the State, in the daily cause list.

I.A. No.405 of 2020

1. This interlocutory application has been filed under Section 389(1) of the Code of Criminal Procedure for suspension of sentence and grant of ad-interim bail, to the petitioner, during the pendency of the appeal.

2. The petitioner/ appellant has been convicted for the offence under Sections 323, 325, 326, 379 of I.P.C and sentenced to undergo maximum period of R.I of seven years and to pay a fine of Rs.5000/- for the offence under Section 326 of I.P.C, in default thereof, to further undergo S.I of six months, by judgment dated 06.12.2019, passed by the learned Additional Sessions Judge - III, Hazaribag, in S.T. No.43 of 2015.

3. Having heard learned counsel for the petitioner, learned A.P.P and on perusal of the materials on record, it appears that P.W.-8, the injured, has stated that the petitioner had assaulted him with *lathi* on the head, hand and legs. P.Ws-10, P.W.-1, P.W.-3, P.W.-4, P.W.-5 and P.W. - 7 are the eye witnesses. P.W. - 9, i.e., the Doctor found injury on the head and fracture of the hand and leg of P.W.-8.

Considering the materials on record. I am not inclined to suspend the sentence and enlarge the appellant on bail, at this stage.

4. Considering, the fact, that the petitioner/ appellant is in custody for more than one year, he is at liberty to renew his prayer for bail, if the appeal is not taken up for hearing by March, 2021.

5. With the aforesaid direction, I.A. No.405 of 2020 stands rejected.

(AMITAV K. GUPTA, J.)

Chandan/-