

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (D.B.) No. 179 of 2016

Shaktipado Banerjee ... Appellant

Versus

The State of Jharkhand ... Respondent

CORAM: HON'BLE MR. JUSTICE H.C. MISHRA
HON'BLE MRS. JUSTICE ANANDA SEN

For the Appellant : Mr. S.K.Laik, Advocate

For the State : A.P.P.

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.6013 of 2019

4/ 24.06.2020. Heard learned counsel for the appellant and the learned counsel for the State on the Interlocutory Application filed by the appellant for renewing the prayer for bail during the pendency of this appeal.

The appellant has been convicted for the offences under Sections 376 (2) (f) of the Indian Penal Code and Section 4 read with Section 3 of the POCSO Act and has been sentenced to undergo R.I for ten years with fine for the offence under Section 376 (2) (f) of the Indian Penal Code.

Earlier the prayer for bail of the appellant was rejected on merits.

Learned counsel for the appellant has renewed the prayer for bail, submitting that the appellant is in custody since 13.5.2014 and has completed more than half of the sentence.

In the facts of this case and taking into consideration the period of custody, we are inclined to release the appellant, Shaktipado Banerjee, on bail. Accordingly, the appellant, named above, 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- Spl.Judge, Dhanbad, in connection with Spl. (P) Case No.09 of 2014.

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 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 stands allowed with the directions as above.

(H. C. Mishra, J.)

(Ananda Sen, J.)