

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
Cr. Appeal (DB) No. 865 of 2012

1. Pancham Singh					
2. Ramu Singh	---	---	Appellants		
	Versus				
The State of Jharkhand	---	---	Respondent		
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CORAM:     **Hon'ble Mr. Justice Aparesh Kumar Singh**  
              **Hon'ble Mr. Justice Ratnaker Bhengra**  
              Through: Video Conferencing

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For the Appellants: Md. Razaullah Ansari, Advocate  
For the State:       Mr. Bhola Nath Ojha, A.P.P  
For the Informant: Mrs. Swati Shalini, Advocate

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10 / 10.09.2021     I.A. No. 9659/2019 has been preferred by the appellant no. 1-Pancham Singh for suspension of sentence. Earlier prayer for suspension of sentence of this appellant was rejected on merits vide order dated 10.10.2012 and again on 10.02.2017 after due consideration of materials borne from the lower court records.

2.     Learned counsel for the appellant submits that appellant no. 1 has remained in custody during trial from 10.07.2005 to 23.07.2006 and thereafter since his conviction on 23.07.2012 i.e. more than ten years by now. Therefore, considering the period of custody and also his old age, he may be enlarged on bail by suspending his sentence.

3.     Learned A.P.P has opposed the prayer. He submits that earlier, prayer for suspension of sentence of this appellant has been rejected twice on merits taking into account the evidence of eyewitnesses duly corroborated by the medical evidence of PW-13. Therefore, appellant may not be enlarged on bail, at this stage. However, he submits that appeal can be listed for hearing, as per the period of custody, before the appropriate Bench.

4.     We have considered the submissions of learned counsel for the parties including the period of custody undergone by the appellant till now. Having regard to the totality of the facts and circumstances, we are not inclined to enlarge the appellant on bail, at this stage. Accordingly, his prayer for bail is rejected.

5.     Let the appeal be listed under the heading for hearing before the appropriate Bench in the next month, as per the period of custody. Paper books shall be prepared by the Registry within this time and one copy thereof be served to the learned A.P.P.

**(Aparesh Kumar Singh, J)**

**(Ratnaker Bhengra, J)**