

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 14 of 2015

Md. Abid Khan --- --- Appellant
Versus
The State of Jharkhand --- --- Respondent

CORAM: **Hon’ble Mr. Justice Aparesh Kumar Singh**
Hon’ble Mr. Justice Ratnaker Bhengra
Through: Video Conferencing

For the Appellant: Mr. Jitendra Shankar Singh, Advocate
For the State: Md. Hatim, A.P.P.

15 / 10.09.2021 A renewed prayer for suspension of sentence has been made by the appellant Md. Abid Khan through I.A. No. 2418/2021. Earlier prayer for suspension of sentence of this appellant was rejected twice on 18.03.2016 and 15.02.2018 after consideration of materials on record.

2. Learned counsel for the appellant however, submits that the appellant has been in custody since 09.09.2012. Therefore, appeal may be heard at an early date. It is submitted that other convict namely, Md. Fahim @ Md. Fahim Alam in Cr. Appeal (DB) No. 884/2014 has been in custody for around ten years. Therefore, appeal is ripe for hearing, considering the fact that final hearing of the appeal having custody period of ten years and more are being taken up by the appropriate Division Bench.

3. Learned A.P.P has opposed the prayer for suspension of sentence. 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)