

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 1572 of 2017

Amod Kumar Appellant

Versus

The State of Jharkhand Respondent

**CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
: HON'BLE MR. JUSTICE RAJESH KUMAR**

For the Appellant : Mr. B. M. Tripathy, Senior Advocate

For the Respondent : Mr. Tarun Kumar, A.P.P.

For the Informant : Mr. A. K. Sahani, Advocate

8/08.09.2021 I. A. No. 5421 of 2020:

Heard Mr. B. M. Tripathy, learned senior counsel for the appellant and Mr. Tarun Kumar learned A.P.P. for the State as well as Mr. A. K. Sahani, learned counsel for the informant.

The appellant has been convicted for the offence under Section 304B of I.P.C. and has been sentenced to undergo rigorous imprisonment for 10 years.

The prayer for bail of the appellant was earlier rejected on merits on 02.03.2020 in I. A. No. 11102 of 2018.

It has been stated by Mr. Tripathy, learned senior counsel for the appellant that out of total sentence of 10 years rigorous imprisonment, the appellant has remained in custody for a period of 9 months during trial and from the date of conviction, he has remained in custody for a period of 4 years and 1 month, which indicates that the appellant has remained in custody for a total period of 4 years 10 months.

The cause of death as per the post mortem report reveals that the same is on account of Asphyxia due to hanging, though, learned counsel for the informant submits that several ante-mortem injuries were found on the person of the deceased.

However, on the consideration of the fact that the appellant has completed almost half of the sentence imposed upon him, during the pendency of this appeal, the appellant above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the

learned Additional Sessions Judge XV, Dhanbad in connection with S. T. No. 573 of 2009 arising out of Dhanbad P. S. Case No. 656 of 2005 corresponding to G. R. No. 4256 of 2005.

I.A. No. 5421 of 2020 stands allowed and disposed of.

(Rongon Mukhopadhyay, J)

(Rajesh Kumar, J.)