

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 211 of 2020

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1. Rajaram Mandal		
2. Chhedan Mandal @ Chedan Mandal		
3. Manik Mandal	Petitioners
Versus		
The State of Jharkhand	Opposite Party

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioners : Mr.Gautam Kumar Singh, Adv.
For the State : A.P.P.

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The matter was taken up through Video Conferencing. Learned counsel for the parties had no objection with it and submitted that the audio and video qualities are good.

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07/07.09.2021

I.A. No.4316 of 2021

The instant interlocutory application has been filed on behalf of the petitioner No.1, namely, Rajaram Mandal for suspension of sentence and prayer for bail, during pendency of the instant revision petition.

The revision is directed against the judgment dated 12.12.2019, passed by the court of learned Additional Sessions Judge-III, Rajmahal in Cr. Appeal No.37 of 2019, affirming the judgment dated 16.05.2019, passed by the court of S.D.J.M., Rajmahal in C.C. No.560 of 2009 corresponding to T.R. No.132 of 2019, whereby the petitioner No.1, namely, Rajaram Mandal has been found guilty and convicted for the offence under Sections 498(A) and 494 of the Indian Penal Code. The petitioner No.1 has been sentenced to undergo R.I. of three years and a fine of Rs.5,000/- for the offence under Section 498(A) of the IPC and further sentenced to undergo R.I. of three years for the offence under Section 494 of the Indian Penal Code with default clause.

It is the second attempt of the revisionist. Earlier his prayer has been rejected vide order dated 09.02.2021 passed in I.A. No.4370 of 2020 giving liberty to the revisionist to renew his prayer if the revision is not heard within six months.

It has been submitted by the learned counsel for the petitioner that more than six months has lapsed but revision has not been taken up. It has been further submitted that the petitioner has remained in custody for one year while the maximum sentence is of three years only and as such, the sentence of the petitioner may be suspended.

Learned A.P.P. has opposed the prayer.

In the attending facts and circumstances of the case and considering the earlier observation of the Court, I am inclined to suspend the sentence and enlarge the petitioner No.1, namely, Rajaram Mandal on bail, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rajmahal in C.C. No.560 of 2009 corresponding to T.R. No.132 of 2019 subject to the condition that

petitioner No.1, namely, Rajaram Mandal will submit self attested copy of his Aadhar Card and also give his mobile number before the learned court below which he will not change during pendency of this case without prior permission of the court further the petitioner No.1, namely, Rajaram Mandal shall appear before the court below on each and every date till the conclusion of the trial.

I.A. No. 4316 of 2021 stand disposed off.

(Rajesh Kumar, J.)

Shahid/