

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (D.B.) No. 388 of 2018

Shanti Devi @ Shanti Appellant

-Versus-

The State of Jharkhand Respondent

CORAM: HON'BLE MR. JUSTICE H.C. MISHRA
HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : M/s. Sudhir Kr. Roy
Rohit Agarwal

For the State : M/s. P.K.Verma

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. 6528 of 2019

07/ 09.07.2020. Heard learned counsel for the appellant and the learned counsel for the State on the Interlocutory Application filed by the appellant for granting bail during the pendency of this appeal.

The appellant has been convicted and sentenced for the offence under Section 370 (5) of the Indian Penal Code on the allegation that she was taking alongwith her five female minor tribals and two major females to Delhi. She was apprehended while all of them were about to board the train.

The earlier prayer for bail of the appellant was permitted to be withdrawn after some arguments.

Learned counsel for the appellant has submitted that the appellant is in custody since 29.12.2016 itself.

In the facts of this case and taking into consideration the period of custody of the appellant, we are inclined to release the appellant, Shanti Devi @ Shanti, 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-IX, Dhanbad, in connection with S.T. No. 102 of 2017.

The Trial court below before issuing the release order, shall satisfy itself that the appellant has remained in custody throughout since 29.12.2016 and if this statement is found to be incorrect the release order shall not be issued by the Trial Court and the matter shall be reported to this Court.

The aforesaid interlocutory application is allowed with the direction as above.

(H.C. Mishra, J.)

(Rajesh Kumar, J.)