

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 139 of 2020**

Ashok Pandey **Appellant**
Versus
The State of Jharkhand **Respondent**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Appellant :Mr. Suraj Singh, Advocate
For the State :Mr. N.P. Thakur, A.P.P.

05/Dated: 09.07.2020
I.A. No.3747 of 2020

1. The interlocutory application has been filed under Section 389(1) of the Code of Criminal Procedure for suspension of the sentence and grant of ad-interim bail to the appellant namely Ashok Pandey , during the pendency of the appeal.

2. The appellant has been convicted for the offence under Sections 307, 324, 323, and 341 of the Indian Penal Code vide judgment dated 25.01.2020 & 29.01.2020, passed by the court of learned District & Additional Sessions Judge-XIV, Dhanbad, (in ST No.27 of 2019) and he has been sentenced to undergo rigorous imprisonment of 7 years under Section 307 IPC, and to pay a fine of Rs.50,000/-, in default thereof, to undergo S.I of six months. He has further been sentenced to undergo R.I of two years under Section 324 IPC and to pay a fine of Rs.5,000/-, in default thereof, to undergo S.I of one month.

3. Having heard learned counsel for the appellant and learned A.P.P, and on perusal of materials on record, it appears that PW-5, the victim has testified that the appellant had inserted bread rolling pin in her vagina. PW-8, the Doctor found a rent at posterior fornix of vagina and she has opined that the injuries are grievous in nature threatening to life.

Considering the materials on record, at this stage, I am not inclined to suspend the sentence and enlarge the appellant on bail. However, if the appeal is not taken up for hearing by **April, 2021**, the petitioner is at liberty to renew his prayer for bail.

4. With the said direction I.A. No.3747of 2020 is, hereby, rejected.

Cr. Appeal (S.J.) No. 139 of 2020

1. Office to list the appeal under the heading **For Hearing** in seriatim as per age.

(AMITAV K. GUPTA, J.)