

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (DB) No. 641 of 2018

Kundan Turi @ Karu Mirdha @ Kundan Kumar --- --- Appellant
Versus
State of Jharkhand --- --- Respondent

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CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH
HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

Through Video Conferencing

For the Appellant : Mr. Arpit Kumar, Advocate
For the Respondent : Mr. Bhola Nath Ojha, A.P.P.

06/05.04.2021 Learned counsel Mr. Arpit Kumar appears for the appellant and Mr. Bhola Nath Ojha, learned A.P.P. appears for the State.

The appeal suffers from delay of 31 days, for condonation of which I.A. No. 1809 of 2021 has been filed.

For the reasons stated in the instant interlocutory application and upon consideration of the submissions of learned counsel for the parties, delay is condoned. I.A. stands disposed of.

The sole appellant stands convicted by the impugned judgment dated 08.02.2018 and order of sentence 16.02.2018 passed by learned Additional Sessions Judge-I cum Special Judge (POCSO Act), Koderma in Sessions Trial No. 02 of 2015 where under the appellant has been convicted under Section 10, r/w Section 9(I) of the POCSO Act, under section 376(2) (i) & (n) and 366-A of the I.P.C and has been sentenced to undergo R.I. for 10 years with fine of Rs.10,000/- with default clause for the charge U/s 376(2) (n) of the I.P.C. He has been further sentenced to undergo R.I. for a period of 5 years with a fine of Rs.5000/- with default clause for the charge u/s 366-A of the I.P.C. Both the sentences were directed to run concurrently.

Admit.

Call for the Lower Court Records in connection with Sessions Trial No. 02 of 2015 from the Court of District & Additional Sessions Judge-I cum Special Judge, Koderma.

Let the name of Mr. Aprit Kumar be reflected in the cause list as counsel for the appellant in place of learned counsel Mr. Ashutosh Anand and Mr. Abhijeet Kumar Singh. Let the name of Bhola Nath Ojha, learned A.P.P. be reflected in the cause list in place of erstwhile counsel Mr. Mukesh Kumar, henceforth.

(Aparesh Kumar Singh, J.)

(Anubha Rawat Choudhary)