

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.403 of 2016

Arising out of P.S. Case No. -14 Year- 2006 Thana -KANTI District- MUZAFFARPUR

Harendra Paswan, son of Sheodhar Paswan, resident of village- Bishunpur Sumer
P.S. Kanti District-Muzaffarpur.

.... Appellant

Versus

The State of Bihar

.... Respondent

Appearance :

For the Appellant : Mr. Arun Kumar, Advocate.

For the State : Mr. Abha Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-10-2016

Heard learned counsel for the appellant and learned
counsel for the State.

2. The appellant was convicted under Sections 323,
447 and 341 of the Indian Penal Code by the learned 8th Additional
District and Sessions Judge, Muzaffarpur, in Sessions Trial No. 100
of 2007 arising out of Kanti P.S. Case No. 14 of 2006. He was
sentenced to undergo imprisonment for one month under Section
341, imprisonment for three months under Section 447 and
imprisonment for one year under Section 323 of the Indian Penal
Code.

3. While convicting and sentencing the appellant, the
trial court itself has granted interim bail in exercise of power

conferred under sub section (3) of Section 389 of the Code of Criminal Procedure, till 6th of June, 2016.

4. As on date, the appellant is neither in custody nor on bail as the interim bail granted to him by the trial court, expired on 6th of June, 2016. On query made by the Court, learned counsel for the appellant has submitted that he has no instruction whether the appellant has surrendered after 6th of June, 2016 before the trial court or not.

5. In that view of the matter, the appeal is dismissed with liberty to the appellant to file another appeal in the same subject matter in case the appellant surrenders before the trial court.

(Ashwani Kumar Singh, J)

S.Ali/-

AFR/NAFR	NAFR
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