

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.407 of 2016

Arising Out of PS.Case No. -215 Year- 2014 Thana -MUFFASIL District- AURANGABAD

Madhav Trivedi, S/o Kamakshya Prasad Trivedy, resident of P.N. Ghosh Lane Street, Purulia, P.S.- Purulia Town, District- Purulia (West Bengal).

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Mahendra Thakur, Advocate

For the State : Mr. Sujit Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 07-09-2016

The instant appeal under Section 389 (2) of the Code of Criminal Procedure has been filed against the order dated 19.5.2016 passed by the learned Sessions Judge, Aurangabad, in Cr. Appeal No. 19 of 2016 whereby the appellant's application for suspension of sentence and releasing him on bail has been rejected.

The appellant has been convicted under Section 414 and 120(B) of the Indian Penal Code and sentenced to undergo rigorous imprisonment for three years and six months respectively for the aforesaid offences.

It is contended that the appellant is in custody for about two years and two other co-convicts namely, Banti Agrawal and Girja Prasad have already been granted bail by this Court vide order dated

14.6.2016 passed in Cr. Appeal (SJ) No. 410 of 2016 and order dated 1.9.2016 passed in Cr. Appeal (SJ) No. 483 of 2015. A web copy of the order dated 1.9.2016 passed in Cr. Appeal (SJ) No. 483 of 2016 has been produced by the learned counsel for the appellant. Let the same be kept on record.

Learned counsel for the State does not controvert the aforesaid submission made by the learned counsel for the appellant.

Regard being had to the reasons assigned in the order dated 1.9.2016 passed in Cr. Appeal (SJ) No. 483 of 2016, the appellant named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Muffasil P.S. Case No. 215 of 2014, G.R. No. 1722 of 2014/T.R. No. 407 of 2016 till disposal of Cr. Appeal No. 19 of 2016 pending in the court of learned Sessions Judge, Aurangabad.

The appeal stands allowed.

(Ashwani Kumar Singh, J)

S.Ali/-

AFR/NAFR	NAFR
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