

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.387 of 2019

Arising Out of PS. Case No.-21 Year-2014 Thana- BELA District- Sitamarhi

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Akash Paswan @ Ram Kripal Paswan, Son of Kewal Paswan @ Ramkewal
Paswan, Resident of Village - Rajwara Mushharniya, P.S.- Sonbarsa, District -
Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Devendra Kumar

For the Respondent/s : Mr. Ashwani Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 21-12-2019 Heard learned counsels for the appellant and the

State.

The present appeal has been preferred against the
judgment and order of conviction and sentence dated
06.02.2019 and 07.02.2019, respectively, passed by learned
Additional Sessions Judge-I, Sitamarhi, in Sessions Trial No.
451 of 2014/91 of 2014 arising out of Bela P.S. Case No. 21 of
2014, whereby the appellant has been convicted for the charges
under Sections 323/34, 342/34 364A and 120B of the IPC and



sentenced to undergo R.I. for life with a fine of Rs. 10,000/- and in default of making payment of fine, the appellant has been further directed to undergo R.I. for one year.

Learned counsel for the appellant submits that there is no evidence on record to suggest that the appellant had demanded any extortion, hence the charge under Section 364(A) IPC has not been proved against the appellant. It is further submitted that the appellant has remained in custody for more than six years.

Learned counsel for the State does not controvert the submission of the learned counsel for the appellant. Moreover, no show cause has been filed in last eight months as the appeal was registered on 11.04.2019.

Considering the fact that the appellant has remained in custody for more than six years and there is no likelihood of the present appeal being taken up for hearing in near future, as the appeals of 1994-95 on onward is pending for hearing, during pendency of the present appeal, let the above named appellant, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-I, Sitamarhi in Sessions Trial No. 451 of 2014/91 of 2014, arising out of Bela



P.S. Case No. 21 of 2014.

(Dinesh Kumar Singh, J)

(Anil Kumar Upadhyay, J)

Amrendra/-

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