

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2112 of 2019**

Arising Out of PS. Case No.-105 Year-2001 Thana- KUSHESHWARASTHAN District-
Darbhanga

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OM PRAKASH THAKUR, aged about 50 years (M), Son of Late Satya Narayan Thakur, Resident of Village - Bakarganj, P.S.- Laheria Sarai, Distt - Darbhanga.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Appellant : Mr.Shama Sinha, Advocate.
For the O.P. : Mr.Abhay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsels for the parties.

The appellant has been convicted and sentenced to undergo S.I. for fifteen days for the offence under Section 341 of the I.P.C. S.I. for one year six months for the offence under Section 324 of the I.P.C., R.I. for one year six months with fine of Rs. 3,000/- and further three months of S.I. in case of default in the payment of fine under Section 498(A) of the I.P.C. and R.I. for four years with fine of Rs. 5,000/- and further S.I. for six months in case of default in payment of fine under Section



307 of the I.P.C.

Re.: I.A. No. 01 of 2019:

The aforesaid Interlocutory Application has been filed for grant of bail to the sole appellant during the pendency of the present Criminal Appeal.

It has been submitted by learned counsel for the appellant that during the trial, the appellant has already remained in custody for 21 months and has never misused the privilege of bail. The appellant is the husband of the victim. It has been further submitted that the hearing of this Criminal Appeal is not likely to be taken in near future.

Learned Addl. P.P. for the State has opposed the prayer for grant of bail to the appellant.

Considering the facts and circumstances of the case and also the lockdown, during the pendency of this Criminal Appeal, let the sentence of the appellant be suspended and the appellant, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-IIInd, Biraul, in connection with Sessions Trial No. 100/2003.

Once the normalcy is restored, the appellant shall furnish bail bonds of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

The prayer for stay of realization of fine is refused.

Accordingly, I.A. No. 01 of 2019 stands disposed of.

(Sudhir Singh, J)

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