

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1567 of 2021

Arising Out of PS. Case No.-70 Year-2015 Thana- MAHILA P.S. District- Saharsa

Ramakant Sharma S/O Late Fani Lal Sharma Resident Of Village - Korlahi,
Ward No. -39, P.S. And District - Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Praveen Kumar Agrawal
For the Respondent/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 05-12-2024 Heard the learned counsel for the appellant and the
learned APP for the State.

2. This appeal has been preferred against the judgment and order dated 18.12.2020 and 21.12.2020 passed by learned Additional Sessions Judge-I-cum-Special Judge (POCSO), Saharsa in POCSO Case No. 38 of 2015 (arising out of Saharsa Mahila P.S. Case No. 70 of 2015) by which the appellant has been convicted for offence under Section 376(1) of the Indian Penal Code and sentenced to undergo R.I. for 10 years and fine of Rs. 20,000/- and in default of payment of fine, the convict shall undergo S.I. for one year. The appellant has also been convicted of the offences under Section 4 of the POCSO Act and sentenced to R.I. for 10 years and fine of Rs. 20,000/- and in default of payment of fine, the convict shall



undergo S.I. for one year.

3. It has been submitted by the learned counsel for the appellant that the appellant has completed his punishment awarded to him, but the appellant is not being released only because he has not been able to deposit the fine of Rs. 40,000/-. He has further submitted that the Trial Court is not accepting the fine because of the pendency of this appeal.

4. In the facts of the case, this appeal is dismissed as having become infructuous.

5. The Trial Court is directed to release the appellant at the moment the fine of Rs. 40,000/- is deposited in the Trial Court by the appellant.

6. The appeal stands dismissed as having become infructuous.

(Sandeep Kumar, J)

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