

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.185 of 2010

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Dwarika Mahto S/O Late Vishundhari Mahto R/O Vill.- Deokali, P.S.-
Obra, Distt.- Aurangabad

..... Appellant/s

Versus

The State of Bihar

..... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

**HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

7 25-08-2014 By filing I.A. No. 1739 of 2013, appellant has renewed his prayer for suspension of sentence and grant of bail on the ground that he is in jail custody with effect from 17.11.2006, but there is no chance of the appeal being taken up for hearing within a reasonable time as the present appeal was filed in the year 2010 and for the present the High Court in regular course is hearing the appeal filed in the year 1991-92.

2. It is submitted on behalf of the appellant that in view of the contradiction in evidence, there is fair chance of success in the appeal. Besides the present conviction appellant is not a convict in any other case.

3. Be that as it may, appellant above named having

remained in jail custody for more than seven years, during the pendency of this appeal, his sentence is directed to be suspended and he be released on bail on furnishing bail bond of ₹ 10,000/- (₹ Ten thousand only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IV, Aurangabad in connection with Sessions Trial No. 12 of 2007/ 532 of 2009 arising out of Obra P.S. Case No. 97 of 2006 corresponding to G.R. No. 205 of 2006.

4. I.A. No. 1739 of 2013 is, accordingly, disposed of.

(V.N. Sinha, J.)

(Rajendra Kumar Mishra, J.)

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