

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4258 of 2021

Arising Out of PS. Case No.-7 Year-2014 Thana- MAHILA P.S. District- Rohtas

Devendra Sah @ Devendra Prasad Son Of Late Gopal Prasad Resident Of
Village- Daranager, P.S. Nauhatta, District- Rohtas

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Rajani Kant Singh, Advocate
For the State	:	Mr. Zeyaul Hoda, APP
For the Informant	:	Mr. Basant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

11 20-01-2026

Re.: Interlocutory Application No. 01 of 2024

Heard learned Senior Counsel for the appellant;
learned APP for the State and learned counsel for the informant.

2. The appeal has been filed on behalf of the appellant challenging the judgment of conviction dated 27.08.2021 and order of sentence dated 31.08.2021 passed learned 2nd Additional Sessions Judge cum Special Judge Excise, Rohtas at Sasaram in S. Tr. No.32 of 2015/Reg. No.32/2015 arising out of Dehri Mahila P.S. Case no.07 of 2014 whereby the trial Court for the offence under section 304B I.P.C. and section 4 of the D.P. Act has convicted the appellant and imposed a sentence of 10 years of imprisonment for the offence under section 304B.I.P.C. and six month and fine of Rs.5000/- for the offence



under section 4 of Dowry Prohibition Act and in default of payment of fine, the appellant shall also undergo simple imprisonment for two months.

3. The present application bearing Interlocutory Application No. 1 of 2024 is filed for suspension of sentence and for releasing the applicant/appellant on bail during the pendency of the appeal filed by him.

4. Learned counsel for the appellant has submitted that the appellant has already undergone about five and half years of sentence. The appellant has clean antecedent expect for the present case.

5. The learned APP appearing for the State has opposed this interlocutory application.

6. Considering the submission of learned counsel for the appellant, the interlocutory application No.01 of 2024 is allowed. Accordingly, the substantive sentence of imprisonment imposed on the appellant is suspended and he is directed to be released on bail on executing P.R. bond of Rs. 10,000/- (Rupees Ten Thousand only) and on furnishing two sureties of the like amount to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Court, Rohtas at Sasaram in connection with Sessions Trial No. 32 of 2015 arising out of



Dehri Mahila P.S. Case No. 7 of 2014, till the disposal of this appeal.

7. As a condition of this order, the applicant should co-operate with this Court in disposal of the appeal. Till disposal of the appeal, recovery of fine imposed on the applicant is kept in abeyance if not already paid.

8. The Interlocutory Application No. 01 of 2024 stands allowed.

(Sandeep Kumar, J)

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