

Suresh Oraon Vs. State of Jharkhand

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Court : Jharkhand

Decided On : Sep-23-2013

Appellant : Suresh Oraon

Respondent : State of Jharkhand

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI Cr. Appeal (DB) No.370 of 2013 Suresh Oraon. Appellant. Versus The State of Jharkhand. Respondent. CORAM : HONBLE MR. JUSTICE NARENDRA NATH TIWARI HONBLE MR. JUSTICE P. P. BHATT For the Appellant : Mr. A. K. Kashyap, Sr. Advocate. For the State : A.P.P. 04/23.09.2013: On receipt of lower courts' record, learned counsel for the appellant pressed for the appellant's suspension of sentence and his release on bail during pendency of the appeal. Mr. A. K. Kashyap, learned senior counsel, appearing on behalf of the appellant, submitted that the appellant has become a victim of false implication; however, the prosecution has failed to establish the charge against the appellant; the prosecution witnesses, including the prosecutrix, have not supported the charge; one of the prosecutrix, namely, Phulmani Lakra P.W.3 though has named this appellant in examination in chief, contradicted her statement in the cross-examination saying that she could not identify due to darkness and she had named this appellant on suggestion of some of the villagers; the appellant is in custody since May, 2011; there is no likelihood of appeal being taken up for hearing in near future. Learned A.P.P. opposed the appellant's prayer for bail but has not disputed the said contentions

based on record. Regard being had to the facts and circumstances of the case, the appellant, abovenamed, is directed to be released on bail, during pendency of the appeal, on furnishing bail bond of Rs.10,000/ (rupees ten thousand) with two sureties of the like amount, each, to the satisfaction of learned Additional Judicial Commissioner III cum FTC (CAW), Ranchi in connection with Sessions Trial No.86 of 2012/T.R. No.97 of 2012. (Narendra Nath Tiwari, J.) (P. P. Bhatt, J.) Sanjay/

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