

Logen Soren Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : Jun-19-2013

Appellant : Logen Soren

Respondent : The State of Jharkhand

Judgement :

INTHEHIGHCOURTOFJHARKHANDATRANCHI Cr.Appeal(DB)No.146of2013
LogenSoren Appellant Versus TheStateofJharkhand Respondent.
CORAM: HONBLEMR.JUSTICED.N.PATEL
HONBLEMR.JUSTICESHREECHANDRASHEKHAR. FortheAppellant
:Mr.BrijN.Kumar,Advocate FortheState:Mr.RaviPrakash,A.P.P. 05/Dated:19 th
June,2013 Oralorder: PerD.N.Patel,J.:

1. ThisappealhasbeenAdmittedvideorderdated14thMay,2013and therecordandproceedingsofSessionsTrialNo.215of2009wascalled fromthetrialcourtsastoappreciatetheargumentsforsuspensionof sentence.
2. ThisCourthasreceivedtherecordandproceedingsofthetrialcourt andwehaveperusedthesame.
3. Havingheardlearnedcounselforboththesidesandlookingtothe evidencesonrecordandalsolookingtothe prosecutionwitnessesfrom P.W.1toP.W.8,thereisaprimafaciecaseinfavourofthisappellant.Asthe criminalappealispending,wearenotmuchanalyzingtheevidenceson record, but, suffice it to say that the allegations levelled against this appellant is of gang rape in

which other accused persons have been acquitted except this appellant. We have also perused the evidence given by P.W.6, who is a Doctor, namely Shashi Lal.

4. In view of these facts, we hereby, suspend the sentence awarded by the learned trial court to the present appellant. During pendency of this appeal, the appellant namely, Logen Soren, is directed to be released on bail upon executing bond of Rs.10,000/ (Rs. ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge V, Dhanbad, in connection with Sessions Trial No.215 of 2009, on the condition that the appellant shall be available as and when his presence is required by the Court. (D.N.Patel,J)
(Shree Chandrashekhar,J.) VK/

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