



CrPC S. 374(2) - Can appeal be heard if the accused has absconded or is required to surrender first.

Criminal Procedure Code, 1973, Section 374(2) - Patna High Court Rules, Chapter XII Rule 8 - Rule provides that no appeal against conviction shall be heard for admission unless the accused has surrendered to the order of the Court below convicting him to a [sentence](#) of imprisonment except in a case where the appellant has been released on [bail](#) by the trial court after convicting him - In the present case appeal was already admitted when the accused absconded - Therefore, the said rule, which applies to the pre-admission stage, was not applicable - Appeal - Admitted - Accused absconded - Right of hearing .

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