

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (SJ) No. 37 of 2026

Mehboob Ansari, aged about 38 years, Son of Basruddin Ansari, Resident of
Nawadih, P.O. & P.S.- Ketar, Dist. – Garhwa **Appellant(s)**

Vrs.

The State of Jharkhand

..... **Respondent(s)**

.....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Pankaj Srivastava, Advocate

Mr. Ravi, Advocate

For the State : Mr. V.S. Sahay, A.P.P.

I.A. No. 22 of 2026

04/29.04.2026 The instant interlocutory application has been preferred under
Section 430(1) and (2) of the BNSS, 2023 for suspension of sentence
of the appellant during pendency of this appeal.

2. The appellant has been convicted for the offence under Section
25(1-B) a and 26(1) of the Arms Act and has been sentenced to
undergo R.I. for 3 ½ years with a fine of Rs.10,000/- for the offence
under Section 25(1-B)a of the Arms Act and in default of payment of
fine, he is directed to undergo S.I. for 3 months and further directed to
under R.I. for 3 ½ years with a fine of Rs. 10,000/- for the offence
under Section 26(1) of the Arms Act and in default of payment of fine,
he is further directed to undergo S.I. for three months in connection
with judgment of conviction dated 02.12.2025 and order of sentence
dated 08.12.2025 passed in S.T. Case No. 325 of 2024 arising out of
Ketar P.S. Case No. 57 of 2024 corresponding to G.R. Case No. 486
of 2024 by the court of learned Additional Sessions Judge-I, Nagar
Untari (Garhwa).

3. It has been submitted by the learned counsel for the appellant
that the appellant has remained in custody for about 10 months.
Further, it has been submitted that P.W.3 – Ballistic Expert has stated
that Fire Arm was never tested to know as to whether it was under
workable condition or not.

4. Learned counsel for the State has opposed the prayer for
suspension of sentence.

5. Considering the period of custody, I am inclined to enlarge the

appellant on bail by suspending his sentence during pendency of this appeal.

6. However, the learned Trial Court, before passing the release order, shall satisfy itself regarding the sentence served by the appellants i.e., period of about 10 months.

7. Accordingly, the appellant, above named, is directed to be released on bail, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Nagar Untari (Garhwa) in connection with S.T. Case No. 325 of 2024 arising out of Ketar P.S. Case No. 57 of 2024 corresponding to G.R. Case No. 486 of 2024, subject to the condition that the appellant will remain present before the Court when the appeal is taken up for hearing, failing which, his bail shall be cancelled.

8. I.A. No.22 of 2026 stands allowed and accordingly disposed of.

(Rajesh Kumar, J.)

29.04.2026
A. Mohanty

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