

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 74 of 2026

1. Arjun Prasad Mandal @ Arjun Prasad			
2. Deepak Babarba @ Deepak K. Babarba	...		Appellants
Versus			
The State of Jharkhand	...		Respondent

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellants	: Mr. L.C.N. Shahdeo, Advocate
For the State	: Mrs. Priya Shrestha, Spl.P.P.
For the Informant	: Mr. A.K. Kashyap, Sr. Advocate

06/23.04.2026

I.A. No. 3541 of 2026

Heard the learned counsel for the respective parties.

This application has been preferred by the appellants for grant of bail to them during the pendency of this appeal.

The appellants have been convicted for the offences under sections 302/34 and 120-B of the Indian Penal code and have been sentenced to undergo imprisonment for life along with a fine of Rs.10,000/-.

It has been alleged that the informant had received a phone call on 08.10.2020 which was of his maternal uncle and who had informed that his brother is not receiving the phone. Subsequently, a call was received informing that the cellphone on which the call was being made was found lying near the flank of Charhi Road and when the informant and others went in search of his brother, they had gone to the police station where they were shown the photographs of his brother lying dead. It was suspected that the appellants and other co-accused persons have committed the murder of the brother of the informant.

Submission has been advanced by Mr. L.C.N. Shahdeo, the learned counsel for the appellants that one of the co-convict similarly situated, namely, Malti Devi has been granted bail by this Court in Cr. Appeal (DB) No. 73 of 2026. It has been submitted that admittedly there are no eye-witnesses to the incident and only on the allegation of conspiracy hatched between the appellants and Malti Devi in eliminating the brother of the informant, they have been convicted. Learned counsel further submits that though PW-13 has stated about the deceased being last seen with the present appellants but he

was not a charge-sheeted witness. It has also been submitted that it is unthinkable that the appellants would come from Gujarat in order to commit the murder of the brother of the informant. Learned counsel therefore submits that in absence of there being even circumstantial evidence to indicate about the involvement of the appellants in committing the murder of the brother of the informant, they deserve to be released on bail.

Mr. A.K. Kashyap, the learned senior counsel for the informant, has opposed the prayer for bail of the appellants and has submitted that the case of the present appellants is clearly distinguishable from the case of the co-convict Malti Devi who has been granted bail by this Court. It has been submitted that from the evidence of PW-13 it appears that the deceased as well as both the appellants were seen in the car, which was hired by the appellants, which is further strengthened by the CCTV footage and subsequent thereto, the brother of the informant was found dead at Charhi. The learned senior counsel therefore submits that there being strong circumstances with respect to the evidence of PW-13, the CCTV footage as well as the recovery of the dead body, the present application is liable to be rejected.

Though it has been submitted by the learned counsel for the appellants that one of the co-convict Malti Devi has been granted bail by this Court but the facts and circumstances of the case makes her case clearly distinguishable from that of the present appellants. The appellants as well as the deceased were seen in the car which has also been mentioned by PW-13. Admittedly, there are no eye-witnesses to the incident but the strong circumstances, which comes from the evidence of PW-13 as well as the CCTV footage and which clearly distinguishes the case of the present appellants to that of the co-convict Malti Devi who has been granted bail by us, we are not inclined to admit the appellants on bail. Consequently, this application stands rejected at this stage.

(RONGON MUKHOPADHYAY, J.)

(PRADEEP KUMAR SRIVASTAVA, J.)

23.04.2026

S.B. Uploaded on 27.04.2026