

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.277 of 2025

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Mohan Ganjhu Appellant

Versus

The State of Jharkhand through the Informant, Magha Ganjhu Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Shailendra Jit, Advocate
For the State : Mr. Abhay Kr. Tiwari, APP

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Order No.05/08.07.2025

I.A. No.2031 of 2025

This Criminal Appeal has been filed on behalf of the appellant by challenging the judgment of conviction and sentence dated 24.01.2025 passed in Sessions Trial No.344 of 2021 by Sri Ranjeet Kumar, learned Sessions Judge, Hazaribagh by which the appellant has been convicted for the offences under Sections 326, 323, 324, 506 and 452 of IPC and sentenced to undergo R.I. for five (05) years, S.I. for six (06) months, R.I. for two (02) years, S.I. for six (06) months and R.I. for two (02) years respectively.

2. I.A. No.2031 of 2025 has been filed on behalf of the appellant for suspension of sentence and grant of bail.

3. Heard learned counsel for the appellant and learned APP.

4. Learned counsel for the appellant submitted that the impugned judgment and sentence passed by the learned Courts below are illegal, and not sustainable in eye of law. It is submitted that the allegations levelled against the appellant are not correct. It is submitted that both the sides have same dispute prior to lodging of this case. It is submitted that the Informant has stated during his evidence that he had only seen the appellant fleeing away and not for assaulting him. It is further submitted that the injury may be

possible due to fall of heavy object on his leg as he was sleeping in the newly constructed building. It is further submitted that the appellant was in custody during trial for more than seven (07) months and thereafter he is in custody since 24.01.2025 i.e. for more than five (05) months i.e. total more than one (01) year and hence he may be enlarged on bail.

5. On the other hand, learned APP raised objection and submitted that the Informant i.e. PW-6 namely Magha Ganjhu has fully supported the prosecution case, PW-3 i.e. Dr. Sanjeev Kumar Hembrom, who had examined the injury, had stated that this injury is grievous in nature. It is submitted that the PW-8 and PW-9 are the Investigating Officer respectively who have supported and corroborated the prosecution case and hence the prayer for bail of the appellant may be rejected.

6. Having heard learned counsel for both the sides and from perusal of the Lower Court records of this case, it appears that there is an allegation against the appellant for causing the cut injury on the left leg of Informant.

7. It appears that the PW-3 i.e. Doctor has found grievous injury on the leg of the Informant which is as follows:-

(i) Crush wound on left leg with bone protruding out, X-ray report RIMS Ranchi memo no.380/29.05.2021, So fracture 1st, 2nd, 3rd and 4th metatarsal of left foot,

(ii) Opinion-Grievous injury

8. It appears that the Informant while being examined as the PW-7 namely Kaila Ganjhu i.e. the injured witness has stated that while he was sleeping at the time of occurrence then he suffered injury and had seen the appellant fleeing away after assaulting him.

9. It appears that the appellant is in custody for more than

more than one (01) year.

10. Considering the facts and circumstances of this case and also considering the custody of the appellant, the appellant namely Mohan Ganjhu is directed to be released on bail, on furnishing bail bonds of Rs.15,000/- (Rs.Fifteen Thousand) with two sureties of the like amount each, to the satisfaction of learned Sessions Judge, Hazaribagh in connection with Sessions Trial No.344 of 2021 subject to the condition that the appellant will deposit Rs.40,000/- (Rs.Forty Thousand) before the learned Court below at the time of furnishing the bail bond.

11. The said Rs.40,000/- (Rs. Forty Thousand) will be paid to the Informant by learned Court below by informing him by concerned Para Legal Volunteers of through DLSA, Hazaribagh.

12. Thus, I.A. No.2031 of 2025 is allowed and stands disposed of.

13. Let a copy of this order be sent to the learned Court below.

Cr.A(SJ) No.277 of 2025

14. Office is directed to issue notice to the Informant.

(Sanjay Prasad, J.)

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