

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 219 of 2024

Gupteshwar Singh @ Gupta Singh **Appellant**

Versus

The State of Jharkhand **Respondent**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE ARUN KUMAR RAI

For the Appellant :Mr. Amit Kumar Das, Sr. Advocate

For the Res.-State :Mr. Sanjay Kr. Srivastava, A.P.P.

16/07.08.2026 I.A. No. 9753 of 2026

Heard Mr. Amit Kumar Das, learned Senior Counsel for the appellant and learned A.P.P. for the State.

The prayer for bail of the appellant was earlier dismissed as not pressed in I.A. No. 10606 of 2024. Subsequent thereto, the appellant had moved for grant of bail in I.A. No. 4806 of 2025, which, however, was rejected at that stage vide order dated 25.04.2025.

It has been submitted by Mr. A.K. Das, learned Senior Counsel for the appellant, that the appellant is the uncle of the deceased and the grandfather of P.W.-1, who claims himself to be an eye witness. It has been submitted that, as per P.W.-1, the appellant had fired at the left arm of the deceased, which is a non-vital part of the body, and he had died due to excessive bleeding. It has been submitted that P.W.-1 was not present, as he has admitted that he resides at Daltonganj, but the learned trial court has not considered the said aspect while believing the evidence of P.W.-1 to be credible and trustworthy. Learned Senior Counsel further submits that, since the appellant and the deceased are related, there was no question of identifying the deceased and

thereafter firing at him. It has been submitted that there was nothing to deter the appellant from firing on the vital part of the body of the deceased and the entire gamut of allegations as well as the surrounding circumstances does reveal that the appellant has been falsely implicated, as there was also a previous land dispute between the parties. It has also been submitted that the appellant has completed a total period of three years in custody.

Learned A.P.P. has opposed the prayer for bail of the appellant.

It appears that a firing was made at the deceased and the bullet struck his left arm, which is corroborated by the post-mortem report. However, the cause of death has been opined to be due to haemorrhage and shock, which, in fact, would be due to excessive bleeding from the wound sustained by the deceased, resulting in his death. There also appears to be some discrepancy in the evidence of P.W.-1, who claims herself to be an eye witness, and the plea of the defence that he was at Daltonganj at his home, which is a two hour journey from the place where the incident had taken place, appears to have not been appropriately considered by the learned trial court.

On consideration of the aforesaid facts, we are inclined to admit the appellant on bail. Accordingly, during the pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge-I, Palamau at Daltonganj, in Sessions Trial Case No. 44 of 2006 arising

out of Bishrampur P.S. Case No. 80 of 2003,
corresponding to G.R. No. 1500 of 2003.

I.A. No. 9753 of 2026 stands allowed and
disposed of.

(Rongon Mukhopadhyay, J.)

(Arun Kumar Rai, J.)

07.08.2026
Umesh-Abhishek/-