

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (D.B.) No. 450 of 2026

Saiba Munda @ Shayba Munda Appellant(s)
Versus
The State of Jharkhand Respondent(s)

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

For the Appellant(s) : Ms. Snehlika Bhagat, Advocate
For the State : Mr. Rajneesh Vardhan, A.P.P.

Order No.07

Date: 13.08.2026

I.A. No. 8715 of 2026

Heard the learned counsel for the respective parties.

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

The appellant has been convicted for the offences u/s 302 and 341 of IPC and Section 3 of Prevention of Witchcraft (Daain) Practices Act and has been sentenced to undergo imprisonment for life along with a fine of Rs. 20,000/- for the offence u/s 302 of I.P.C.

It has been alleged that the appellant had assaulted the wife of the informant with a tangi which resulted in her death.

Submission has been advanced by the learned counsel for the appellant that the only evidence relied upon by the prosecution is PW-2 who is the informant and who claims himself to be an eye witness. It has been submitted that however, PW-2 had not seen the occurrence and had merely stated that he had seen the appellant entering into his house with a tangi in his hand. Learned counsel submits that so far as the recovery of a tangi is concerned, that has also not been ascertained as to whether the same was recovered from the house of the appellant or not. It has further been submitted that the appellant is in custody for more than seven years and there are no witness of substance and so far as PW-2 is concerned, he is an

interested witness.

Learned APP has opposed the prayer for bail of the appellant.

Admittedly, from the evidence of PW-2 it appears that he is not an eye witness to the occurrence as in his cross-examination, he has stated that he had merely seen the appellant entering into his house with a tangi. The recovery has also not been properly explained by the prosecution.

Considering the entire circumstances of the case apart from the period of custody undergone by the appellant, we are inclined to admit the appellant on bail. Accordingly, during pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned trial court [Additional Judicial Commissioner-XX, Ranchi] in connection with S.T. Case No. 108 of 2019 (Bundu P.S. Case No. 50 of 2018).

This I.A. stands allowed and disposed of.

(RONGON MUKHOPADHYAY, J.)

(ARUN KUMAR RAI, J.)

13th August, 2026
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