

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 388 of 2026

Jitendra Singh @ Jitendra Kumar Singh @ Jeetendar Kr. Singh
... Appellant
Versus
The State of Jharkhand ... Respondent

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

For the Appellant : Mr. Jitendra S. Singh, Sr. Advocate
For the State : Spl.P.P.
For the Informant : Mr. Vineet Sinha, Advocate

04/09.07.2026

I.A. No. 5223 of 2026

Heard Mr. Jitendra S. Singh, the learned senior counsel for the appellant and the learned Spl.P.P. assisted by Mr. Vineet Sinha, the learned counsel appearing for the informant.

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

The appellant has been convicted for the offences under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act and has been sentenced to undergo RI for life along with a fine of Rs.20,000/-.

It has been alleged that the brother of the informant was shot at by the accused persons which resulted in the institution of the First Information Report.

Submission has been advanced by the learned senior counsel for the appellant that the entire case of the prosecution is based on the evidence of PW-2 and PW-3. The same has been acknowledged by virtue of the evidence of the Investigating Officer, who has been examined as PW-7. It has been submitted by learned senior counsel that PW-2 and PW-3 have stated that the appellant was seen fleeing away with a country made pistol after the incident but PW-7 has stated that no such statement was given before him by PW-2 and PW-3. It has further been submitted that there are contradictions in the evidence of PW-2 and PW-3 which would in fact relegate their status from that of eye-witnesses.

Learned Spl.P.P. as well as learned counsel for the informant have opposed the prayer for bail of the appellant.

Learned counsel for the informant has submitted that apart from PW-2 and PW-3, the other witnesses have also supported the occurrence and in fact, it has also come in course of evidence that there was a previous enmity between the appellant and the informant family.

It appears from the evidence of PW-2 and PW-3 that both have claimed themselves to have seen the appellant fleeing away from the place of occurrence with a country made pistol but as per PW-2 he had disclosed about the incident to his daughter after ten days from the occurrence and to the police after two months from the occurrence. So far as PW-3 is concerned, he in his cross-examination has stated that he had gone to the place of occurrence after 10-15 minutes from the time of the incident which also demolishes his claim that he had seen the appellant fleeing away with a pistol in his hand. It also appears from the evidence of PW-2 and PW-3 that though the other accused persons had fled away on motorcycle but the present appellant is alleged to have fled on foot, which furthermore enhances the submission of the learned senior counsel for the appellant that PW-2 and PW-3 cannot be termed as the eye-witnesses to the occurrence.

Regard being had to 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/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-V, Jamshedpur in S.T. No. 402 of 2017.

I.A. stands disposed of.

(RONGON MUKHOPADHYAY, J.)

(PRADEEP KUMAR SRIVASTAVA, J.)

09.07.2026

S.B. Uploaded on 13.07.2026