

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 785 of 2015

Shital Nishad @ Billu @ Bablu Nishad, son of late Umesh Nishad, resident of Mohulsai, Sashtri Nagar, PO and PS Muffasil, Dist. West Singhbhum

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner : M/s S. Shrestha & C. Mukherjee, Advocates
For the State : A.P.P.

04/Dated: 03/09/ 2015

Admit.

Call for the LCR.

Learned counsel on behalf of the petitioner submitted that petitioner has been convicted for the offence under section 25 (1-B) (a)/35 of the Arms Act and sentenced to undergo rigorous imprisonment of two years with fine of Rs.1,000/- and in default thereof to undergo further rigorous imprisonment of three months by the court of the Judicial Magistrate 1st, West Singhbhum and on appeal while affirming the conviction, the appellate court modified the sentence and directed the petitioner to undergo rigorous imprisonment of one year and a fine of Rs. 1,000/- with the default clause.

Learned counsel has submitted that the petitioner has a good case of suspension of sentence as no witness has supported the recovery of the arms. That the petitioner has only been convicted on the basis of the statement of the police witnesses. That the petitioner is in custody since 26.04.2015 after conviction and has also remained in custody for some time during the trial.

Considering the period of detention during pendency of this revision application, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Chaibasa in connection with Manjhari (Tantnagar) P.S. Case No. 30 of 2008, corresponding to G.R. No. 451 of 2008 (T.R. No. 24 of 2013).

Put up this case under the heading for hearing on 14th December, 2015.

Let the order be communicated to the learned court below through FAX at the cost of the petitioner.

(Amitav K. Gupta, J.)