

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (S.J). No 263 of 2025

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1. Alimuddin Ansari, aged 60 years S/o Late Amrali Mian
 2. Nirala Ansari, aged 28 years, S/o Alimuddin Ansari
 3. Taj Mohammad Ansari, aged 30 years, S/o Alimuddin Ansari
- All resident of village- Patihari, P.O.-Piprikala, P.S.-Nagar
Untari (Bishunpura), Dist. Garhwa **.....Appellants**

Versus

1. The State of Jharkhand
2. Zahid Raza Ansari **.....Opp. Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Syed Tafazzul Sajid, Advocate
For the State : Mr. Tarun Kumar, A.P.P

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Order No.02 /Dated: 09.04.2025

I.A No. 3572 of 2025

This Criminal Revision Application has been filed on behalf of the appellants by challenging the judgment of conviction dated 20.02.2025 and sentence dated 28.02.2025 passed by Sri Sanjay Kumar Singh-II, learned Additional Sessions Judge-I, Nagar Untari, Garhwa in S.T No. 151 of 2019 in connection with Bishunpura P.S Case No. 34 of 2018 corresponding to G.R No. 1295 of 2018 by which the appellants have been convicted for the offences under Section 341/34 and Section 325/34 of the I.P.C and sentenced to undergo R.I for fifteen (15) days and R.I for two (02) years each and to pay the fine of Rs. 10,000/- each.

2. I.A No. 3572 of 2025 has been filed on behalf of the appellants under Section 430 (1) of the B.N.S.S, 2023 for suspension of sentence and for grant of bail during pendency of this instant Criminal Appeal.

3. Learned counsel for the appellants has submitted that the impugned judgment and sentence passed by the learned Court below is illegal, arbitrary and not sustainable in the eye of law. It is submitted that there is general and omnibus allegations have been leveled against the appellants. It is submitted that due to non-availability of the bailers for the appellants, they could not file petition for grant of provisional bail and the appellants are in custody since 20.02.2025 and earlier also they were in custody for about one (01) month.

4. On the other hand, learned A.P.P has opposed the prayer for bail.

5. Heard learned counsel for both the sides and perused the records of this case and considered the submission of both the sides.

6. It appears that the appellants have been convicted and sentenced to undergo R.I for two (02) years for the major offence under Section 325/34 of the I.P.C and to pay the fine of Rs. 10,000/- each.

7. The appellants are also in custody since 20.02.2025.

8. Considering the facts and circumstance of this case, the Appellant no. 1 namely Alimuddin Ansari, Appellant no. 2 Nirala Ansari and Appellant no. 3 Taj Mohammad Ansari are directed to be released on bail on furnishing their respective bail bonds of Rs. 15,000 (Rs. Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar Singh-II, learned Additional Sessions Judge-I, or his Successor Court, Nagar Untari, Garhwa in S.T No. 151 of 2019 in connection with Bishunpura P.S Case No. 34 of 2018 corresponding to G.R No. 1295 of 2018 subject to deposit 50% of the fine amount which

may be disbursed to the victim by the Lower Court Below on filing of such an application.

9. Thus, I.A No. 3572 is allowed and stands disposed of.

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9. Admit.

10. Call for the legible scanned copy of the Lower Court Records.

11. The learned Court below is directed to disburse the amount to the victim/ informant if any such petition is filed.

(Sanjay Prasad, J.)

Nishant/-