

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 420 of 2020

-
1. Sanat Mandal @ Sanal Gorai, aged about 56 years, son of Jaganath Gorai
 2. Sunil Marandi, aged about 46 years, son of Lakhiram Marandi
 3. Devilal Murmu, aged about 31 years, son of Late Shiv Jatan Murmu
- All 1 to 3 are resident of Village-Tetulia, P.O. & P.S.-Pakuria,
District-Pakur, Jharkhand

... .. **Petitioners**

Versus

The State of Jharkhand

... .. **Opp. Party**

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners	: Mr. Kanti Kumar Ojha, Advocate Mr. Sahja Nand Saraswati, Advocate Mr. Pranjal Chaturvedi, Advocate
For the State	: Mr. Anup Pawan Topno, A.P.P.

Order No. 08/ Dated: 28th April, 2026

1. Defect ignored.
2. Heard Mr. Kanti Kumar Ojha, learned counsel for the petitioners as well as learned A.P.P. for the State.
3. The instant criminal revision is directed against the judgment and order dated 12.12.2019 passed in Cr. Appeal No. 26 of 2015 by the learned Additional Sessions Judge-I, Pakur, whereby and whereunder the learned Appellate Court has upheld the judgment and order of sentence dated 15.07.2015 passed by learned Judicial Magistrate, 1st Class, Pakur in T. R. No. 106 of 2015 arising out of P.C.R. Case No. 330 of 2010 whereby and whereunder they were held guilty under Sections 143, 447 & 379 of the I.P.C. and in lieu of substantive punishment they have given benefit of provisions of Section 4 of the Probation of Offenders Act and released after furnishing the bonds of Rs.5,000/- with one surety each of the like amount for maintaining peace and be of good behavior for a period of one year.

4. Learned counsel for the petitioners submits that there was a *bona fide* land dispute between the parties. The land in question belongs to the petitioners who have grown paddy crops on their own land appertaining to Jamabandi No.5, Plot No.63, area measuring 2 Bigha, 4 Katha and 15 Dhur situated at Mouza-Thakurpur, P.S. Pakuria, District-Pakur. The informant party were aggressor and adamant to grab the land of the petitioners and disputed the harvesting of paddy crops, therefore, dispute arose between the parties. Hence, no offence under Sections 143, 379 & 447 of the I.P.C. can be constituted in the factual scenario of this case, therefore, the impugned judgment of conviction of the petitioners is not maintainable under law and liable to be set aside.

5. The defence has also relied upon documentary evidence in support of their claim over the disputed property Exhibit A, B, C & D pertaining to J.B. No.5 of Mouza-Thakurpur.

6. On the other hand, learned A.P.P. has opposed the aforesaid contentions raised on behalf of the petitioners and submitted that the petitioners have filed no documentary evidence in support of their claim over the dispute land. Rather, the complainant has proved this case beyond doubt and there is concurrent findings of the learned Trial Court as well as the Appellate Court and taking lenient view in the matter of awarding sentence, the petitioners were released on probation bonds, therefore, there is no illegality or infirmity in the impugned judgment and order calling for any interference in this revision.

7. I have gone through the judgment of the learned Trial Court as well as that of the Appellate Court and have perused the record.

8. It appears that the occurrence took place on 15.12.2010 and the present petitioners illegally harvested the paddy crops of complainant from land appertaining to Jamabandi No.5, Plot No.63, area measuring 2 Bigha, 4 Katha and 15 Dhur, situated at Mouza-Thakurpur. It further appears that 4 witnesses were examined by the complainant, who have consistently supported the prosecution story and also proved that earlier a proceeding under Section 144 of Cr.P.C. was also initiated between the parties wherein also the complainant was found in peaceful possession and restraint order was passed against the present petitioners. It is also proved that the present petitioners forming an unlawful assembly armed with dangerous weapons, trespassed over the land-in-question and committed theft of paddy crops grown by the complainant.

9. The documentary evidence Exhibit-1 series, Exhibits-2, 3, 4 & 5 were also adduced, showing the possession of the complainant over the disputed land at the relevant time of occurrence.

10. In view of above discussion and reasons, I do not find any valid reason to interfere with the concurrent findings of the learned Trial Court as well as the Appellate Court. There is no merit in this revision and it is fit to be dismissed.

11. Accordingly, the aforesaid criminal revision stands **dismissed**.

12. Pending I.A.(s), if any, stands disposed of accordingly.

13. Let a copy of this order be sent to the concerned court for information and needful.

(Pradeep Kumar Srivastava, J.)

28.04.2026

Arpit

Uploaded on 05/05/2026