

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No. 540 of 2025

....
Sanjay Behera @ Pandadu BehraAppellant

Versus

1. The State of Jharkhand
2. Komo ManjhiRespondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Anjani Kumar, Advocate
For the State : Mr. Sudhir Kumar Mahto, A.P.P.
For the Informant : Mr. Pradeep Kumar, Advocate

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Order No: 04/Dated: 15.10.2025

This Criminal Appeal has been filed on behalf of the appellant by challenging the judgment of conviction dated 10.03.2025 and sentence dated 17.03.2025 passed by Sri Mohammad Shakir, learned Sessions Judge, West Singhbhum at Chaibasa in connection with S.T Case No. 528 of 2023 (arising out of Jagnnathpur P.S Case No. 67 of 2023) by which the appellant has been convicted for the offence under Section 307 of I.P.C and sentenced to undergo R.I for seven (07) years and to pay the fine of Rs. 10,000/- (Rs. Ten Thousand).

I.A No. 8339 of 2025

2. I.A No. 8339 of 2025 has been filed on behalf of the appellant for suspension of sentence and for grant of bail during pendency of this Criminal Appeal.

3. Learned counsel for the appellant has submitted that the impugned judgment of conviction and sentence passed by the learned Court below is illegal, arbitrary and not sustainable in the eye of law. It is submitted that the appellant is innocent and has committed no offence. It is submitted that there was love affairs

between the appellant and the victim girl. It is submitted that the injury found on the victim girl is simple in nature. It submitted that mother of the victim girl and village Munda have not been examined by the prosecution. It is submitted that the appellant has remained in custody for the period 05.10.2023 to 06.03.2024 during the trial and is in custody since 10.03.2025 and hence, the appellant may be enlarged on bail.

4. On the other hand, learned counsel for the State has opposed the prayer.

5. Learned counsel for the informant has also opposed the prayer and submitted that apart from the victim girl examined as P.W-1, P.W-3 and P.W-7 are also the eye witnesses and they had seen the victim girl in injured condition and being assaulted by the appellant and hence, the prayer for bail of the appellant may be rejected.

6. Perused the L.C.R. and considered the submission of both the sides.

7. It appears that though there is direct allegation against the appellant for assaulting the injured victim girl, however, it appears that the injury sustained by the victim girl is simple in nature.

8. It appears that the mother of the victim girl and one village Munda has not been examined by the prosecution.

9. Considering the custody of the appellant and also considering the facts and circumstances of this case, the appellant namely Sanjay Behera @ Pandadu Behra is directed to be released on bail on furnishing bail bonds of Rs. 15,000/- with two surities of the like amount each to the satisfaction of Sri Mohammad Shakir, learned Sessions Judge, West Singhbhum at Chaibasa/or his successor Court in connection with S.T Case No. 528 of 2023

(arising out of Jagannathpur P.S Case No. 67 of 2023) subject to the condition that one of the bailors must be the own relative of the appellant and also subject to the condition that the appellant shall deposit Rs. 75,000/- before the learned Court below at the time of furnishing of his bail bonds and which may be handed over to the victim girl on proper identification towards Compensation for the present separately.

10. Learned Secretary, DLSA, Chaibasa and learned Sessions Judge, Chaibasa are directed to inform as to whether the victim girl has been provided any compensation under the provision of Victim Compensation Scheme till date or not?

11. Thus, I.A No. 8339 of 2025 is allowed and stands disposed of.

12. Let a copy of this order be sent to the learned Member Secretary, JHALSA, learned Sessions Judge, Chaibasa, learned Secretary, DLSA, Chaibasa and be also sent to the learned Court below for the needful.

13. Put up this case on 20th November 2025 awaiting report from learned Member Secretary, JHALSA and learned Sessions Judge, Chaibasa.

(Sanjay Prasad, J.)

Dated: 15.10.2025

Avinash/