

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (S.J) No. 721 of 2025

Bhimsen Mahato		Appellant
Versus		
The State of Jharkhand		Respondent
with		

Cr. Appeal (S.J) No. 347 of 2025

Bhimsen Mahato		Appellant
Versus		
The State of Jharkhand		Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant	: Mrs. Vani Kumari, Advocate
For the State	: Mr. Bhola Nath Ojha, APP

07/Dated:28th November, 2025

I.A No.15648 of 2025 has been filed in Cr. Appeal (SJ) No.721 of 2025 whereas I.A No.15650 of 2025 has been filed in Cr. Appeal (SJ) No.347 of 2025 on behalf of the appellant for grant of provisional bail for a period of six (06) weeks on the ground of marriage of his only daughter Ms. Puja Mahto, whose marriage is fixed on 05.12.2025.

2. These cases have been fixed today in the light of order dated 26.11.2025 passed this Court by directing the learned APP to ascertain as to status of the marriage of the daughter of the appellant is fixed or not and it has been informed by the learned APP today i.e. 28.11.2025 that marriage of the daughter of the appellant is fixed on 05.12.2025 and a report has been received in this regard from the Officer In-charge of Seraikella Police Station on 27.11.2025, let it be kept on record.

3. Learned counsel for the appellant submitted that Ms. Puja Mahto is the only daughter of the appellant and her marriage is fixed on 05.12.2025. Earlier her marriage was also fixed as the appellant was in custody and hence the alliance was broken due

to appellant's incarceration. It is further submitted that this time her marriage again has been fixed with the same individual, however the family resides in a rustic village environment where any further postponement or cancellation due to the appellant's continued custody would lead to severe and irreparable loss to the appellant and which may impact her future prospect also and hence the appellant may be allowed to be enlarged on provisional bail for a period of six weeks.

4. Learned APP has opposed the prayer. It has been submitted that the appellant has been convicted in two cases of N.D.P.S Act and hence the provisional bail may not be granted.

5. It appears that the appellant has been convicted in N.D.P.S. Case No.07 of 2020 for the offence under section 20(b)(ii)(B) of NDPS Act and sentenced to undergo R.I. for four (04) years with fine of Rs.20,000/- and for which he has filed Cr. Appeal (SJ) No.721 of 2025.

6. It also appears that the appellant has been convicted in N.D.P.S. Case No.27 of 2021 for the offence under section 20(b)(ii) and (B) of NDPS Act and sentenced to undergo R.I. for four (05) years with fine of Rs.40,000/- and for which he has filed Cr. Appeal (SJ) No.347 of 2025.

7. However, the appellant has filed the instant I.A No.15648 of 2025 in Cr. Appeal (SJ) No.721 of 2025 and I.A No.15650 of 2025 in Cr. Appeal (SJ) No.347 of 2025 for grant of provisional bail for solemnizing marriage of his daughter as there is no male member in his family and he has also to discharge his moral obligation.

8. Having heard learned counsel for the parties and from going through the report submitted by the Officer In-charge, Seraikella Police Station, it appears that marriage of the daughter of the appellant is fixed on 05.12.2025.

9. Considering the fact that for the acts of the appellant, the daughter may not be at any fault, the appellant-Bhimsen Mahto is directed to be released on provisional bail in both Cr. Appeal (SJ) No.721 of 2025 and Cr. Appeal (SJ) No.347 of 2025 for fifteen (15) days after release from the jail, on furnishing bail bonds of Rs.15,000/- (Fifteen Thousand only) with two sureties of the like amount, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, NDPS Act, Seraikella-Kharsawan in N.D.P.S Case No.07 of 2020, arising out of Seraikella Case No.92/2020 and N.D.P.S Case No.27 of 2021, arising out of Seraikella Case No.83/2021 respectively, subject to the condition that one of the bailors must be the own relative of the appellant and one of the bailors must be the deponent.

10. However, after completion of fifteen (15) days the appellant must surrender in the Court below and shall file surrender certificate by filing the supplementary affidavit.

11. Accordingly, I.A No.15648 of 2025 in Cr. Appeal (SJ) No.721 of 2025 and I.A No.15650 of 2025 in Cr. Appeal (SJ) No.347 of 2025 stands allowed and disposed of.

12. Let a copy of this order sent to the learned Court below by FAX at once.

13. It is made clear that this provisional bail has been granted only for the purpose of marriage of the daughter of the appellant and not on merit.

14. Let these cases be listed after three weeks.

(Sanjay Prasad, J.)

Dated: 28.11.2025
Saket/-