

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (D.B.) No. 584 of 2024

Hari Hembrom ... Appellant(s).
Versus
The State of Jharkhand ... Respondent(s).
CORAM : SRI ANANDA SEN, J.
SRI GAUTAM KUMAR CHOUDHARY, J.

For the Appellant(s) : Mr. Rajesh Kumar Mahtha, Advocate
For the State : Mr. S.K. Tiwari, Spl.P.P.
.....

05 /18.09.2025: **I.A. No.11516 of 2025**

This interlocutory application has been filed by the appellant, praying therein to suspend the sentence and release him on bail during the pendency of this appeal.

2. The appellant has been convicted under Section 302 of IPC in connection with S.T. No. 28 of 2019. He has been sentenced to undergo R.I. for life and a fine of Rs.10,000/- for the offence u/s 302 of IPC.

3. Heard, the learned counsel for the appellant and learned Sp. P.P. for the State and have gone through the impugned judgment, the evidence and the Trial Court Records.

4. Opportunity was given to the State to oppose the bail, which the State availed and opposed.

5. There is a direct allegation against this appellant of committing the murder of the deceased. Witnesses have also supported the prosecution case and he was also caught red handed which is evident from the statement of P.W. 1, P.W. 2 and P.W. 3. Earlier, his application for bail was rejected.

6. The Hon’ble Supreme Court in **Omprakash Sahni Vs. Jai Shankar Chaudhary & Anr. (2023) 6 SCC 123** has held that the endeavour on the part of the court, should be to see as to whether the case presented by the prosecution and accepted by the trial court can be said to be a case in which, ultimately the Convict stands for fair chance of acquittal, if the answer is affirmative he should not be kept behind the bar for a pretty long period. However, the Court should not reappreciate the evidence and try to pick up a few lacunae or loophole in the case of the prosecution.

7. Accordingly, this Court does not deem fit to suspend the sentence and release him on bail.
8. Accordingly, I.A. No. 11516 of 2025 stands dismissed.
9. It would be open for the appellant to pray for early hearing of this appeal.

(ANANDA SEN, J.)

(GAUTAM KUMAR CHOUDHARY, J.)

18.09.2025

Sandeep/Pawan/