

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 506 of 2024

....

Avinash Kumar Singh, aged about 54 years, son of Funlal Singh, resident of Village-Khamargorra, PO- Kankomath, PS-Katras, District-Dhanbad (Jharkhand) **..... Petitioner**

Versus

1. The State of Jharkhand
2. Rajesh Mahto, S/o Bhushan Mahto, R/o Gorga, PO + PS-Barwadda, District- Dhanbad **..... Opp. Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the petitioner : Mr. Krishna Shankar, Advocate
For the State : Mr. Sanat Kumar Jha, APP
For the O. P. No. 2 : None.

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I.A. No. 216 of 2025

09/17.03.2025 It appears that notice has been returned unserved with endorsement that “प्राप्त करता का पता नहीं चल पा रहा है अतः वापस किया जाता है।”

2. Perused the report sent vide Letter No. 312 dated 10.03.2025 by Sri Rakesh Raushan, learned Secretary, DLSA, Dhanbad in light of the order dated 13.02.2025 passed by this Court by which it has been informed that the claimant namely Kokil Mahato (father of the deceased namely Jitendra Mahato) had filed MAC Case No. 106 of 2016 of granting compensation in connection with G. R. Case No. 165 of 2015 and as per the judgment dated 30.03.2019 passed by the learned District Judge-VII-cum-Motor Accident Claim Tribunal, Dhanbad in MAC Case No. 106 of 2016, a final compensation amount of Rs. 10,12,800/- had been granted to the father namely Kokil Mahato and mother namely Smt. Charki Devi of the deceased namely Jitendra Mahato and as per the order dated 23.07.2019 of MAC Case No. 106 of

2016, the plaintiffs have received the said amount with interest i.e. Rs. 10,50,402/- vide cheque numbers 004113 and 004114 respectively dated 17.06.2019.

3. The present Criminal Revision No. 506 of 2024 has been filed on behalf of the petitioner challenging the judgment dated 16.02.2024 passed in Criminal Appeal No. 183 of 2023 by Sri Kuldeep, the learned Additional Sessions Judge-VII, Dhanbad whereby learned Additional Sessions Judge-VII, Dhanbad has dismissed the Criminal Appeal No. 183 of 2023 and affirmed the judgment of conviction and order of sentence dated 11.09.2023 passed by Sri Abhishek Srivastava, learned Sub-Divisional Judicial Magistrate, Dhanbad in connection with Katras P. S. Case No. 15 of 2015 corresponding to G. R. No. 165 of 2015 [T. R. No. 590 of 2023] by which the petitioner has been convicted for the offences under Sections 279 and 304-A of the Indian Penal Code and sentenced to undergo R.I. for a period of six months and to pay fine of Rs. 1,000/- for the offence under Section 279 of the Indian Penal Code and sentenced to undergo R.I. for a period of two (2) years and to pay fine of Rs. 5,000/- for the offence under Section 304-A of the Indian Penal Code.

However, all the sentences have been directed to run concurrently.

4. I. A. No. 216 of 2025 has been filed on behalf of the petitioner for grant of bail, during pendency of this Criminal Revision Application.

5. Heard learned counsel for the petitioner and learned counsel for the State.

6. It is submitted by the learned counsel for the petitioner that the impugned judgments and order passed by the learned Courts below are illegal, arbitrary not sustainable in the eyes of

law. It is submitted that the petitioner is a poor person and he is in custody since 22.12.2024 and hence, the petitioner may be enlarged on bail.

7. Learned counsel for the State has opposed the prayer for bail and has submitted that due to rash and negligent driving of the petitioner, the deceased Jitendra Mahato had died and as such, the prayer for bail of the petitioner may be rejected.

8. Heard learned counsel for both the sides and from going through the Lower Court Records and the report sent vide Letter No. 312 dated 10.03.2025 by Sri Rakesh Raushan, learned Secretary, DLSA, Dhanbad.

9. It appears that the petitioner was the driver of the offending vehicle in question, which has dashed the deceased Jitendra Mahato and as a result of which he died.

10. It also appears that the as per the order dated 23.07.2019 of MAC Case No. 106 of 2016, the family members of the deceased have received the said compensation amount with interest i.e. Rs. 10,50,402/- vide cheque numbers 004113 and 004114 both dated 17.06.2019.

11. It also appears that the petitioner is in custody since 22.12.2024.

12. Considering the facts and in the circumstances of the case and considering the custody of the petitioner, during pendency of this Criminal Revision Application, the petitioner namely Avinash Kumar Singh is directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Abhishek Srivastava, learned Sub-Divisional Judicial Magistrate, Dhanbad/or his Successor Court in connection with Katras P. S. Case No. 15 of 2015 corresponding to G. R. No. 165 of 2015 [T. R. No. 590 of

2023].

13. Thus, 216 of 2025 is allowed and stands disposed of.

Cr. Rev. No. 506 of 2024

14. Admit.

15. Put up this case under the heading “For Hearing” in the month of February, 2026.

(Sanjay Prasad, J.)

Kamlesh/