

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. A (D.B.) No. 813 of 2025

Bittu Kumar @ Bittu Singh, aged about 35 years, S/o Late Ram Awatar Singh, R/o Mouza-Jodhadih More, Near S.S. College, Chas, P.O. & P.S.-Chas, District-Bokaro, Jharkhand Appellant

Versus

The State of Jharkhand Respondent

**CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA**

For the Appellant : Mr. Prashant Kumar Rai, Advocate
Mr. Rahul Ranjan, Advocate
For the Respondent : Mr. A.K. Tiwari, A.P.P.

04/Dated: 16th September, 2025

I.A. No.11232 of 2025

1. Heard Mr. Prashant Kumar Rai, learned counsel for the appellant and Mr. A.K. Tiwari, learned A.P.P. for the State.
2. This application has been preferred by the appellant for grant of bail to him during pendency of this appeal.
3. The appellant has been convicted for the offences under sections 302, 201 read with section 34 of Indian Penal Code and has been sentenced to undergo life imprisonment along with a fine of Rs.25,000/- for the offence under section 302 of IPC.
4. It has been alleged that the husband of the informant, while he was having dinner, was called by his friend Govind Bauri over phone and upon which the husband of the informant left his house. The informant in the meantime had gone to sleep and in the next morning, she had come to know that the dead body of her husband was lying near a temple.
5. Submission has been advanced by learned counsel for the appellant that P.W.8 is only eye-witness to the occurrence, who had stated that he had identified the other co-convicts, namely, Govind Bauri and Pintu Bauri but he had failed to identify the present appellant.

6. It has been submitted that P.W.8 himself has stated in his examination-in-chief that the accused persons used to disturb the surroundings after eating and drinking and it is surprising that despite knowing the appellant, he had not been named.
7. Learned counsel adds that admittedly there is no recovery of any incriminating articles from the conscious possession of the appellant, though the recovery had been effected from other co-convicts.
8. Learned A.P.P. has opposed the prayer for bail of the appellant
9. On consideration of the evidence of P.W.8, it appears that though Govind Bauri and Pintu Bauri have been named but so far as the present appellant is concerned, he has not been named by P.W.8, who is an eye-witness to the occurrence apart from the fact that there has been no recovery from the conscious possession of the appellant, we are inclined to admit the appellant on bail.
10. Accordingly, during pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand/-) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Bokaro in connection with S.T. Case No.254 of 2022 arising out of Chas(M) P.S. Case No.5 of 2022.
- 11.I.A. No.11232 of 2025 stands disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Pappu/-