

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (D.B.) No. 713 of 2022

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Tinku Mahato @ Rajendra Mahato  
Versus

... Appellant(s).

State of Jharkhand

... Respondent(s).

**CORAM :SRI ANANDA SEN, J.**

**: SRI GAUTAM KUMAR CHOUDHARY, J.**

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For the Appellant(s) : M/s. J.N.Upadhyay, Mayank Kumar, Rahul Kumar  
& Juhi Kumari, Advocates

For the State : Mr. Abhay Kr. T, APP

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07 /04.09.2024:

**I.A. No.9146 of 2024**

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

2. The appellant has been convicted and sentenced in connection with Sessions Trial No. 174 of 2020, for the offence under Section 302/201/364A/120B of the IPC. He has been sentenced to undergo rigorous imprisonment for life and a fine of Rs.25,000/- for offence under Section 302/120B, of the IPC along with other sentences for other offence.

3. Heard, the learned counsel for the appellant, learned counsel for the informant and learned A.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 and the informant to oppose the bail, which both availed and opposed.

5. Counsel for the petitioner submits that there is no material against the appellant to convict in this case. He submits that only material is that he advised the family member of the kidnapped person to pay the ransom.

6. This is a case where brother of the informant was kidnapped and ransom was demanded and thereafter he was murdered. P.W.10 is the informant and the brother of the deceased, who stated that this appellant advised the informant to pay the ransom amount to the kidnappers, as according to him the kidnappers were dangerous person. Further when the informant requested this appellant to accompany him to the police station, he refused. The informant went to the police station and immediately thereafter received a call from the kidnappers threatening him and questioning him as to why he has

gone to the police station. The informant further stated that every time he received a call from the kidnappers, this appellant used to visit him within, five minutes from those calls. Further, he stated that mobile phone which was being used by the brother of the informant (the deceased) was recovered from the house of this appellant. All these facts from the evidence, suggest the involvement of this appellant in the entire crime. Thus, we are not inclined to release the appellant on bail.

7. Accordingly, the Interlocutory application stand dismissed.

**(ANANDA SEN, J.)**

**(GAUTAM KUMAR CHOUDHARY, J.)**