

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 796 of 2025

1. Shivcharan Mahto, aged about 63 years, son of Late Dhani Mahto @ Late Dhanu Mahto
2. Pradeep Kumar @ Pradeep Kumar Mahto, aged about 39 years, son of Shivcharan Mahto
3. Sikander Kumar @ Sikandar Kumar, aged about 37 years, son of Shivcharan Mahto
4. Arun Kumar Mahto @ Bablu Kumar @ Arun Kumar, aged about 33 years, son of Shivcharan Mahto
5. Dinesh Kumar @ Dinesh Mahto, aged about 39 years, son of Mahabir Mahto
6. Vinay Kumar Mahto, aged about 34 years, son of Bhagirath Mahto
All resident of Village-Junoritand, P.O. & P.S. Chandrapura, District-Bokaro

... Petitioners

-Versus-

1. The State of Jharkhand
2. Dev Saran Mahato, S/o Late Dhaneshwar Mahato, at Junourtard, P.O. Taranari, P.S. Nawadih, Dist. Bokaro

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners	: Mr. Atanu Banerjee, Advocate Mr. Suman Kumar Ghosh, Advocate Mr. Aditya Banerjee, Advocate
For the State	: Mr. Shailesh Kumar Sinha, A.P.P.
For the Informant	: Mr. Jitendra Shankar Singh, Advocate

11/24.11.2025 Trial Court Record has been received.

2. Learned counsel for the petitioners submits that I.A. No.10100 of 2025 has been filed for suspension of sentence and release the petitioners on regular bail. He further submits that petitioner nos.1, 3, 4 and 6 remained in custody for about a week less than 9 months and petitioner nos.2 and 5 remained in custody for about a week less than 8 months. He then submits that petitioners have been convicted and sentenced vide judgment of conviction and order of sentence dated 31.08.2022 passed by the

learned Judicial Magistrate, 1st Class, Bermo at Tenughat in G.R. Case No. 614 of 2014 arising out of Chandrapura P.S. Case No.69 of 2014, Trial No. 216 of 2022, whereby, they have been sentenced to undergo S.I. for three years and fine of Rs.5,000/- each and in default of payment of fine, they have been further sentenced to undergo S.I. for three months. He next submits that the learned trial court has passed the said order, which has been affirmed by the first appellate court. He also submits that the case is registered in the year 2014 and the trial court has passed the judgment on 31.08.2022. He further submits that the victims have stated that they have jumped from the van, however, there is no injury. He then submits that the place of occurrence is also not clear in view of that, some witnesses have stated that the victims have been taken away from the house and others have stated that the victims have been taken from outside of the house. He also submits that the medical was not done of the victims. He next submits that three of the witnesses, namely, P.Ws.10, 11 and 12 are declared hostile. He submits that P.W. 9 is a hearsay witness. He further submits that the said allegation is of the night and it is not possible to exactly take the name of the accused. He then submits that there are land disputes between the parties and for that, one Title Suit No.32/2014 was filed and plaint and written statement thereof have been marked as Exts.A and B. In these backgrounds, he submits that during the pendency of this criminal revision petition, the petitioners may kindly be enlarged on bail.

3. Learned counsel for the State submits that both the learned courts have given cogent reason and in view of that, the bail may not be granted to

the petitioners.

4. Learned counsel for the informant opposed the prayer and submits that the accused persons have been apprehended from the van in question and in view of that, their involvement is proved. He further submits that P.Ws. 13 and 14, who are victims, have supported their case. He then submits that in view of that, the case is proved and there is no adversity in the judgments of the trial court as well as the first appellate court and, as such, the prayer for bail of the petitioners may kindly be rejected.

5. Considering that petitioner nos.1, 3, 4 and 6 remained in custody for about a week less than 9 months and petitioner nos.2 and 5 remained in custody for about a week less than 8 months and it has been pointed out that some of the witnesses have stated that the victims were taken from the house, however, other witnesses have stated that the victims have been taken from outside of the house and the victims have stated that they have jumped from the van, however, they have not received any injury and it is not clear whether the van was moving or not and further considering that there is land dispute also and for that, Title Suit No.32/2014 was filed and the plaint and written statement thereof have been marked as Exts. A and B and there were other cases also between the parties in which the petitioners have been acquitted, which have been marked as Ext.D. and in the attending facts and circumstances of the case, during pendency of this criminal revision petition, I am inclined to enlarged the petitioners on regular bail. Accordingly, the petitioners, above named, shall be enlarged on regular bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand)

each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bermo at Tenughat in connection with G.R. Case No.614 of 2014 arising out of Chandrapura P.S. Case No.69 of 2014, Trial No.216 of 2022.

6. Accordingly, I.A. No.10100 of 2025 is allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated: 24th November, 2025
Ajay/