

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No. 772 of 2025
With
I.A. No. 11889 of 2025

1.Sonelata Kisku
2.Sonamuni Baski
3.Kanaklata Kisku
4.Premlal Kisku

..... Appellants

Versus

1.The State of Jharkhand
2.Samual Kisku

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants : Mrs. Nitu Sinha, Advocate
For the State : Mrs. Bandana Sinha, A.P.P.
For the Resp.No.2 : Mr. Gautam Kumar, Advocate

03/17.10.2025 Heard Mrs. Nitu Sinha, learned counsel for the appellants, Mrs. Bandana Sinha, learned counsel for the State and Mr. Gautam Kumar, learned counsel for the Respondent No.2.

2. Learned counsel for the Informant-Respondent No.2 has appeared and has prayed for time to file objection to I.A. No. 11889 of 2025, which has been objected to by learned counsel for the appellants. It is submitted that Appellant No.s 1, 2 and 3, namely Sonelata Kisku, Sonamuni Baski and Kanaklata Kisku are ladies and their prayer for bail may be considered.

3. This Criminal Appeal has been filed on behalf of the Appellants challenging the judgment of conviction dated 04.08.2025 and sentence dated 06.08.2025, passed by Shri Shesh Nath Singh, learned

Sessions Judge, Pakur in Sessions Trial No. 136 of 2021, arising out of Maheshpur P.S. Case No. 95 of 2020, by which the Appellants, namely Sonelata Kisku, Sonamuni Baski, Kanaklata Kisku and Premlal Kisku have been convicted for the offences under Sections 307/34, 323/34, 341/34 of I.P.C. and sentenced to undergo R.I. for Seven (07) years and to pay the fine of 20,000/-, R.I. for One (01) years and to pay the fine of Rs.1000/- each, R.I. for One (01) month and to pay fine of Rs.500/- each for the offence under Sections 307/34, 323/34 and 341/34 of I.P.C. respectively.

4. As per F.I.R., the appellants are alleged to have assaulted the Informant and his daughter causing head injuries to them.

I.A. No. 11889 of 2025

5. This Interlocutory Application has been filed on behalf of the appellants for grant of bail.

6. On the other hand, learned A.P.P. opposed the prayer for bail.

7. Learned counsel for the Respondent No.2 has submitted that there is direct allegation against the Appellant No.4, namely Premlal Kisku for assaulting the Informant and his daughter, who had sustained head injuries. It is submitted that the P.W.3, namely Samuel Kisku is the Informant and P.W.4, namely Beronika Kisku is the daughter of the Informant and they are injured persons and they have fully supported the injuries caused to them on the head by the appellants. It is submitted that P.W. 2

and P.W.5, namely Marangmai Kisku and Kristina Murmu respectively and P.W.6, namely Daniel Kisku had also supported and corroborated the prosecution case. It is submitted that P.W.9, namely Sanjay Kumar Jha is a Doctor, who had found injuries on P.W. 3 and P.W.4, namely Samuel Kisku, i.e. the Informant and Beronika Kisku respectively and hence prayer for bail of the appellants may be rejected.

8. Perused the Trial Court Records of this case and considered the submission of both sides.

9. From the F.I.R. it reveals that it was Appellant No.4, namely Premlal Kisku, who had assaulted the Informant and her daughter. Thereafter, Appellant No.s 1, 2 and 3, namely Sonelata Kisku, Sonamuni Baski and Kanaklata Kisku are also alleged to have also assaulted them.

10. From perusal of the Injury report, it transpires that the concerned Doctor had found certain injuries on the injured Informant, namely Samuel Kisku and his daughter, namely Beronika Kisku respectively, which were as follows:-

11. Injury found on the Informant, namely Samual Kisku is as follows:-

- “ (i) Swelling and cut of head 2” X 1 X 1”
- (ii) Age of injury within 24 hours.
- (iii) Cause of injury hard and rough object,
- (iv) Nature of injury is simple”

Injury found on the daughter of the Informant, namely Beronika Kisku is as follows:-

- “ (i) Head injury 2” X 1” X 1”
(ii) Age of injury within 24 hours
(iii) Cause of injury hard and blunt object
(iv) Nature of injury is simple
(v) CT Scan shows is simple.”

12. It transpires that although both the Informant and his daughter had sustained head injuries, but the same were found to be simple in nature.

13. It transpires that although Appellant No.s 1, 2, and 3, namely Sonelata Kisku, Sonamuni Baski and Kanaklata Kisku are females, whereas Appellant No. 4, namely Premlal Kisku is a male.

14. It appears from the F.I.R. and deposition of the witnesses that Appellant No.4, namely Premlal Kisku was armed with Iron rod, whereas the other appellants were allegedly armed with *Lathi*.

It also appears that P.W.9, namely Dr. Sanjay Kumar Jha has proved the injury report of the Informant, but actually it was Dr. Vikash Kumar (deceased) who had examined the injured persons and it has also been admitted by P.W.9, namely Dr. Sanjay Kumar Jha during his cross-examination.

15. Under the circumstances, the Appellant No.s 1, 2 and 3, namely Sonelata Kisku, Sonamuni Baski and Kanaklata Kisku are directed to be released on bail, on furnishing bail bonds of Rs.15,000/-

(Rupees Fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Pakur, in connection with Sessions Trial No. 136 of 2021, arising out of Maheshpur P.S. Case No. 95 of 2020.

16. So far as prayer for bail made on behalf of the Appellant No.4, namely Premlal Kisku is concerned, it transpires that there is direct evidence against him for assaulting both the Informant and his daughter on their head. Though the injuries are simple in nature, but it is on the head of the Informant and his daughter and hence, prayer for bail made on behalf of appellant no. 4, namely Premlal Kisku is rejected at this stage.

17. Thus, I.A. No. 11889 of 2025 is partly allowed and stands disposed of.

(Sanjay Prasad, J.)

s.m.