

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.955 of 2025

....
Ibrahim Mian @ Brahim MianAppellant
Versus
The State of JharkhandRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Kaushik Sarkhel, Advocate
For the State : Mr. Shailesh Kr. Sinha, APP
For the Informant : Mr. Sanjay Kumar, Advocate

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Order No.06/03rd February 2026

1. Learned counsel for the appellant has prayed for one week time to go through the learned Trial Court records.
2. Learned APP has prayed for three (03) weeks' time to file objection in I.A. No.13090 of 2025.
3. It transpires from the learned Trial Court below that chargesheet has been submitted against the appellants for the offence under Section 302 IPC corresponding to under Section 103(1) of BNS and allied sections of I.P.C and charges have been framed under Section 103(1) of BNS and other allied sections of BNS.

However, the learned Trial Court has convicted the appellants for the offences under Section 105 Part II of BNS (corresponding to Section 304 Part-II of IPC) and other allied sections of BNS.
4. Moreover, the learned Trial Judge has not granted any compensation to the family members of the victim under the Victim Compensation Scheme.
5. The learned Trial Court has granted compensation under Section 357(1)(3) of Cr.PC instead of Section 395 of BNSS in order to pay compensation.

Even the learned Trial Court has granted fine amount only Rs.44,000/- by way of compensation to the victim to meet the medical expenses of Dukhan Ansari @ Toofan Mian and Informant

Alam Ansari.

6. It also reveals that no compensation has been provided to the family members of deceased Mangal Mian @ Manglu under the provisions of Section 396 of BNSS which relates to grant of compensation Victim Compensation Scheme.

7. It also reveals that Magal Mian @ Manglu has died.

8. The conduct of learned Trial Court is not appreciated by this Court as the Court has not taken proper step for grant of compensation under the provisions of Victim Compensation Scheme to the family members of the deceased Mangal Mian @ Manglu.

9. Under the circumstances, the District Administration, i.e. the Deputy Commissioner, Jamtara and Superintendent of Police Jamtara are directed to pay Rs.4,00,000/- (Rs. four lakhs) for the present to the family members of the deceased Mangal Mian @ Manglu for the present.

10. The learned Members Secretary JHALSA is directed to co-ordinate with the learned Principal Sessions Judge, Jamtara as well as the District Administration, i.e. the Deputy Commissioner, Jamtara and Superintendent of Police Jamtara for payment of compensation of Rs.4,00,000/- (Rs. four lakhs) for the present to the family member of the deceased Mangal Mian @ Manglu.

11. Put up this case on 18th March 2026.

12. Let a copy of this order be sent to the learned Member Secretary, JHALSA and the learned Principal District and Sessions Judge, Jamtara and Secretary, D.L.S.A, Jamtara as well as the District Administration, i.e. the Deputy Commissioner, Jamtara and Superintendent of Police Jamtara for the needful.

(Sanjay Prasad, J.)