

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Rev. No. 1304 of 2023

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Gupin Tudu, son of Late Nayan Tudu, aged about 60 years,
resident of Village- Hathiapathar, Tola Bardangal, PO & PS- Nala,
District- Jamtara **..... Petitioner**

Versus

1. The State of Jharkhand
2. Wakil Marandi, S/o Alon Marandi, R/o Vill- Pakuria, PS and
PO- Nala, District- Jamtara, Jharkhand **..... Opp. Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the petitioner : Mr. Kaushik Sarkhel, Advocate
For the State : Mr. Rajesh Kumar, A. P. P.
For the O. P. No. 2: Mr. Ashutosh Pd. Joshi, Advocate

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I.A. No. 4455 of 2024

06/27.02.2025 The present Criminal Revision No. 1304 of 2023 has been filed on behalf of the petitioner challenging the judgment dated 26.07.2023 passed in Criminal Appeal No. 21 of 2023 by Sri Ranjeet Kumar, learned Principal Sessions Judge, Jamtara whereby learned Principal Sessions Judge, Jamtara has dismissed the Criminal Appeal No. 21 of 2023 by affirming the judgment of conviction and order of sentence dated 25.05.2023 passed by Sri. Arvind Kumar, Judicial Magistrate, 1st Class, Jamtara in connection with Nala P. S. Case No. 78 of 2017 corresponding to G. R. No. 931 of 2017 by which the petitioner has been convicted for the offence under Section 326 of the Indian Penal Code and sentenced to undergo S.I. for a period of two (2) years and to pay the fine of Rs. 2,000/- for the offence under Section 326 of the Indian Penal.

2. I.A. No. 4455 of 2024 has been filed on behalf of the petitioner for grant of bail, during pendency of the Criminal Revision Application.

3. Heard learned counsel for the petitioner and learned

counsel for the State and learned counsel for the opposite party no. 2.

4. It is submitted by the learned counsel for the petitioner that the impugned judgments and order passed by the learned Court below are illegal and arbitrary and not sustainable in the eyes of law. It is submitted that the allegation against the petitioner is not correct and he has been implicated in this case at the instance of the villagers. It is submitted that the petitioner is in custody since 22.11.2023 and as such, the petitioner may be enlarged on bail.

5. Learned counsel for the State has opposed the prayer for bail.

6. Learned counsel for the opposite party no. 2 has also opposed the prayer and has submitted that petitioner has been given lesser punishment by taking lenient view by the learned Courts below. It is submitted that the entire ear of the informant has been damaged due to the act of the petitioner and hence, the prayer for bail may be rejected.

7. Heard learned counsel for both the sides and considered the submission of both the sides.

8. It appears that the petitioner is said to have assaulted the informant due to which the informant had sustained grievous injury.

9. Considering on the facts and circumstances of the case and the fact that the petitioner is in custody since 22.11.2023 i.e. for about more than sixteen (16) months, the petitioner namely Gupin Tudu is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri. Arvind Kumar, Judicial Magistrate, 1st Class, Jamtara/or his Successor Court in connection with Nala P. S. Case No. 78 of 2017 corresponding to

G. R. No. 931 of 2017 subject to the condition that the petitioner will deposit Rs. 15,000/- by way of compensation for the present, to be paid to the opposite party no. 2 at the time of furnishing the bail bonds and the learned Court below is directed to disburse the said amount in favour of the informant-opposite party no. 2 on filing of such an application.

10. Thus, I.A. No. 4455 of 2024 is allowed and stands disposed of.

11. Let a copy of this order be sent to the learned Court below.

Cr. Rev. No. 1304 of 2023

12. Put up this case under the same heading in the month of August, 2025.

(Sanjay Prasad, J.)

Kamlesh/