

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. A. (DB) No. 1351 of 2025

Kavish Adman, aged about 28 years, son of Khurshid Alak, resident of Village-Goushnagar, Garhatoli, Kokar, P.O.-G.P.O., Ranchi, P.S.-Sadar, District-Ranchi, Jharkhand

... .. **Appellant**

Versus

The State of Jharkhand

..... **Respondent**

CORAM: HON'BLE MR.JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant	: Mr. Vishal Kumar Tiwary, Advocate
For the State	: Mr. Vishwanath Roy, Spl.P.P.
For the Informant	: Mr. Nilesh Kumar, Advocate

Order No.04/ Dated: 08th July, 2026

I.A. No. 2298 of 2026

1. Heard Mr. Vishal Kumar Tiwary, learned counsel for the appellant and learned Spl.P.P. as well as Mr. Nilesh Kumar, learned counsel appearing for the informant.
2. This application has been preferred by the appellant for grant of bail to him, during the pendency of this appeal.
3. The appellant has been convicted for the offences under Sections 302/120B of the I.P.C. and has been sentenced to undergo imprisonment for life along with a fine of Rs. 10,000/-.
4. It has been submitted by the learned counsel for the appellant that one of the co-convict, Dablu Kujur has been granted bail by a Co-ordinate Bench of this Court in Cr. A. (DB) No. 1347 of 2025. Learned counsel while referring to the evidence of P.W.-1, who claims himself to be an eye-witness, has submitted that the miscreants were wearing mask and cap and therefore, it was not possible for P.W.-1 to have identified the appellant as one of the persons who had indiscriminately fired upon the father of the informant. Learned

counsel has copiously referred to the evidence of P.W.-5, who had turned approver and who has mainly concentrated on the angle of conspiracy. It has been submitted that the evidence of the Investigating Officer reveals that though the accused persons were shown to have been apprehended from Panipat, but they were actually apprehended from Delhi and in view of the several infirmities and contradictions in the evidence and the identity of the appellant being doubtful, apart from the fact that no motive has been attributed to the present appellant, he deserves to be released on bail.

5. Learned Spl.P.P. as well as Mr. Nilesh Kumar, learned counsel for the informant have opposed the prayer for bail of the appellant.

6. Mr. Nilesh Kumar, learned counsel for the informant has submitted that on the disclosure made by the co-convict Rahul Kujur and the present appellant, the pistols which were used in the commission of the murder were recovered and as per the F.S.L. report, it has been ascertained that the said pistols were actually used in firing at the deceased. He has further submitted that so far as the case of the co-convict Dablu Kujur is concerned, it is on altogether different footing, as only the angle of conspiracy was alleged against the said co-convict and that too by P.W.-5.

7. It appears that so far as P.W.-5 is concerned, he had turned an approver and his evidence primarily concentrates on the angle of conspiracy entered into by the co-accused persons including the present appellant. However, the evidence of P.W.-1 clearly indicates that it was the appellant and Rahul Kujur who had made indiscriminate firing upon the deceased and the same has been corroborated by the F.S.L. report which indicates that the arms recovered on the joint confession of the appellant

and Rahul Kujur were used in the commission of murder.

8. In view of the evidence of P.W.-1, the case of the present appellant is clearly distinguishable from that of the co-convict Dablu Kujur who has been granted bail by a Co-ordinate Bench of this Court.

9. Regard being had to the overwhelming evidence on record, we are not inclined to admit the appellant on bail. Accordingly, the prayer for bail of the appellant is hereby rejected.

10. The aforesaid I.A. stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

08.07.2026

Arpit

Uploaded on 13/07/2026