

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No. 93 of 2025

....

1. Sahdeo Yadav
2. Sikandar Yadav

.....Appellants

Versus

1. The State of Jharkhand
2. Sunil Yadav

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants : Mr. Randhir Kumar, Advocate
For the State : Ms. Sushma Aind, A.P. P.
For the Informant : Mr. Sunil Yadav, Advocate

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14/05.08.2026 This Criminal Appeal has been assigned to this Court in the light of order dated 21st April, 2026 passed by the Co-ordinate Bench (Hon'ble Mr. Justice Rajesh Kumar) of this Court.

2. Heard Mr. Randhir Kumar, learned counsel for the appellant no.1 namely, Sahdeo Yadav, Ms. Sushma Aind, learned A.P.P. for the State and Mr. Sunil Yadav, learned counsel for the Informant.

3. This Criminal Appeal has been filed on behalf of the Appellants challenging the judgment of conviction dated 06.12.2024 and sentence dated 10.12.2024, passed by Sri Bal Krishan Tiwari, the learned Sessions Judge, Koderma in Sessions Trial No. 34 of 2022 and Sessions Trial No.35 of 2022, by which the Appellants, namely Sahdeo Yadav and Sikandar Yadav have been convicted for the offences under Sections 323, 341, 307, 504 and 506/34 of I.P.C. and sentenced to undergo R.I. for seven (07)

years and to pay the fine of Rs.20,000/- each, R.I. for One (01) year and to pay the fine of 1,000/- each, R.I. for One (01) year and to pay the fine of Rs.1,000/- each, R.I. for One (01) year and to pay the fine of Rs.1,000/- each and R.I. for One (01) month and to pay the fine of Rs.100/- each for the offence under Sections 307/34, 323/34, 504/34, 506/34 and 341/34 of I.P.C. respectively.

I.A. No. 4441 of 2026

4. I.A. No. 4441 of 2026 has been filed on behalf of the appellant no.1 namely, Sahdeo Yadav for suspension of sentence and for grant of bail during the pendency of this Criminal Appeal.

5. Learned counsel for the appellant no.1 has submitted that earlier the prayer for bail of the appellant no. 1 was rejected as not pressed vide order dated 30.01.2026. It is submitted that the appellant no.1 is innocent and has been falsely implicated in this case. It is submitted that the allegation against the appellant no.1 namely, Sahdeo Yadav are false and concocted. It is submitted that there is contradiction in the medical evidence and the First Information Report. It is submitted that as per FIR, only one blow was given. It is submitted that even PW-6, namely, Sunil Yadav, son of the injured had stated that only one blow was given to his father. It is submitted that PW-4, namely, Prakash Yadav is another eye witness namely, Prakash Yadav who has stated that it

was not the appellant no.1-Sahdeo Yadav rather it was Sikandar Yadav who had assaulted the injured namely, Banwari Yadav.

6. It is submitted that the appellant no.1 is in custody since 10.12.2024 i.e. One (01) Year and Seven (07) Months and hence, he may be enlarged on bail.

7. It is further submitted that even PW7- Dr. Abhishek Kumar, who had examined the injured, noticed several injuries on the head of the injured namely, Banwari Yadav and he found four fractured injuries of the person of the injured, which is also contradicted from the FIR and hence, he may be enlarged on bail.

8. On the other hand, learned APP for the State has opposed the prayer for bail. It is submitted that there is direct allegation against the appellant no.1 for assaulting the injured namely, Banwari Yadav on his head. It is submitted that several witnesses i.e. PW1- Surendra Yadav, PW2- Ranjeet Prasad Yadav, PW3- Manoj Yadav and PW6- Sunil Yadav have fully supported the allegation against the appellant no.1 and hence the prayer for bail of the appellant no.1, namely, Sahdeo Yadav may be rejected.

9. Perused the FIR, Trial Court Record and considered the submission of both the sides.

10. It appears from the FIR that there is direct allegation against the appellant no.1 namely, Sahdeo Yadav for assaulting

the injured Banwari Yadav on his head on 23.02.2021 by Tangi.

11. It appears that PW1- Surendra Yadav, PW2- Ranjeet Prasad Yadav, PW3- Manoj Yadav and PW6- Sunil Yadav have supported the allegation that the appellant no.1 had assaulted on the head of the injured with Tangi.

12. Although it has been contended on behalf of the appellant no.1 that only one blow has been received by the injured whereas four injuries have been found, which is contradictory to the FIR, however, this Court finds that occurrence of assault took place on account of demand of *Chanda* by the appellant no.1, namely, Sahdeo Yadav as well as appellant no.2, namely, Sikandar Yadav and the Informant had refused to pay the amount of *Chanda*.

13. Under the circumstances, this Court is not inclined to enlarge the appellant no.1 on bail.

14. Thus, the prayer for bail of the appellant no.1 namely, Sahdeo Yadav is, hereby, rejected at this stage.

I.A. No. 4441 of 2026 stands disposed of.

(Sanjay Prasad, J.)

Dated: 05.08.2026

RKM/