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**(2024) 12 JH CK 0033**

**Jharkhand High Court**

**Case No:** Criminal Appeal (S.J.) No.785 Of 2024

Parikshit Mahto @ Parikshit  
Mahato @ Parishit Mahto

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

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**Date of Decision:** Dec. 9, 2024

**Acts Referred:**

- Indian Penal Code, 1860 - Section 148, 149, 323, 324, 337, 449, 506

**Hon'ble Judges:** Sanjay Kumar Dwivedi, J

**Bench:** Single Bench

**Advocate:** Nishant Kumar Roy, Vishwanath Roy

**Final Decision:** Allowed

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### **Judgement**

Sanjay Kumar Dwivedi, J

1. Admit.
2. Call for the Trial Court Records.
3. The I.A.(Cr.) No. 12729 of 2024 has been filed for grant of bail by suspending the sentence, during pendency of the instant appeal.
4. Heard the learned counsel for the appellants and the learned counsel for the respondent State.
5. The learned counsel for the appellants submits that the appellants have been convicted by judgment of conviction and sentenced for RI for two years under section 148 of the IPC and for one year for committing offence under section 323 and 149 of the IPC and for offence under section 324 and 449 IPC for further two years and for section 337 and 149 IPC for six months and for further two years under section 506 of the IPC and the

direction was issued that all the sentences will run concurrently in connection with Chandankiyari P.S. Case No.151 of 2013, corresponding to

G.R.Case No.1907 of 2013 [Sessions Trial Case No.147 of 2019], passed by learned Additional Sessions Judge-II, Bokaro.

6. The learned counsel for the appellants submits that on the date of sentence the appellants have not surrendered and in view of that they were taken

into custody and later on they were in jail custody since 14.11.2024 and the co-accused persons who are family members have already been granted

provisional bail by the learned court and the sentences are same against them also.

7. The learned State counsel submits that the learned court has already convicted them and the offence is there.

8. Considering that the co-accused persons who were family members have been granted bail in view of the sentence of two years, however, the

appellants were not granted as they were not present on the date of conviction and later on they have surrendered and they are in custody since

14.11.2024, I am inclined to grant bail to the appellants, during pendency of this appeal.

9. Accordingly, appellants, above named, are directed to be released on bail, during pendency of this appeal, on furnishing bail bond of Rs.25,000/-

(Twenty Five Thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge-II, Bokaro in

connection with Chandankiyari P.S. Case No.151 of 2013, corresponding to G.R.Case

10. Instant I.A meant for grant of bail is allowed and disposed of.