

Cr. Appeal (D.B.) No.341 of 1999(R)

[Against the Judgment of conviction and Order of sentence dated 05.10.1999, passed by learned 3rd Additional Judicial Commissioner, Ranchi in S.T. No.557/1998 (T.R. No.319/1998)]

Birsi Tigga wife of late Budhuwa Tigga resident of village Argora, police station Argora, District and town of-Ranchi

.... Appellant

Versus

The State of Bihar (Now Jharkhand)

.... Respondent

PRESENT

HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant : Mr. Mukesh Bihari Lal, Advocate

For the Respondent : Mrs. Priya Shrestha, S. P.P.

CAV On 24/10/2024

Pronounced On 11/12/2024

Per- Pradeep Kumar Srivastava, J.

1. Instant criminal appeal is directed against the judgment of conviction and sentence of the sole appellant dated 05.10.1999 passed by the learned Additional Judicial Commissioner, 3rd, Ranchi in S.T. Case No.557 of 1998 (T.R. No.319 of 1998), whereby and whereunder the appellant has been held guilty for the offence under sections 302 and 201 of Indian Penal Code and sentenced to undergo rigors imprisonment for life and rigors

imprisonment of 7 years respectively for the above offences. Both sentences are directed to run concurrently.

FACTUAL MATRIX

2. Factual matrix giving rise to this appeal is that on 13.05.1998 at about 10 P.M, the Officer-In-Charge Doranda Police Station received telephonic call from some unknown person that a dead body is lying near Punjab National Bank. On the basis of above information, S.D. Entry No. 300/1998 in Argora Police Station was made and the informant Office-In-Charge along with other police personals proceeded for verification of the information and reached near Punjab National Bank. In the eastern side near the veterinary hospital on the pitch road, there was a drain towards southern side, where the dead body put in a gunny bag was lying with maggots. It was also noticed that there was injury on forehead and eyes. It appears that a male human being was murdered elsewhere causing head injury and the dead body was concealed in a gunny bag and disposed of in the drain with a view to screen the offender from legal punishment.

On the basis of written report (Ext.2) of ASI Jairam Singh (P.W.4), Doranda (Argora Police Station), Dorana P.S. Case No.118 of 1998 (Ext.4) was registered on 14.05.1998 for the

offences under sections 302, 201 read with 34 of IPC. Charge of investigation was given to S.I. Nakul Dubey (P.W.9), who prepared inquest report of the unknown deceased (Ext.5) in the presence of witnesses and he sent the dead body for post-mortem examination. In the course of investigation, some witnesses identified the deceased as Budhuwa Oraon and also stated that the first wife of the deceased namely Birsi Tigga has deserted and she has caused death of her husband by assaulting with brick used in chulha. According to Investigating Officer, he interrogated with the first wife of the deceased Birsi Tigga (appellant), who confessed her guilt and on her identification, the brick used in the causing murder of the deceased was also seized from the house of Ropna Oraon, where the deceased and the appellant were residing. The Investigating Officer has also inspected the second place of occurrence and in the room, he found bloodstains over the wall have been recently washed by cow dung and there were two *chaukis* inside the room and a cycle. The Investigating Officer has also got the statement of the accused Birsi Tigga recorded under section 164 of Cr.PC by the competent Judicial Magistrate (Ext.7). After completion of the investigation, the Investigating Officer came to conclusion that the deceased

Budhuwa Oraon has been killed by his own first wife by assaulting on head by brick and submitted charge-sheet against her for the offences under section 302/201 of IPC.

3. After taking cognizance, the case was committed to the court of Sessions and S.T. Case No.557 of 1998 was registered, the charges were read over and explained to the accused appellant to which she did not plead guilty and claimed to be tried.
4. In the course of trial, altogether 10 witnesses were examined by the prosecution including the Investigating Officer and Doctor. Apart from the oral testimony of witnesses following documents have been adduced as under:
 - (a) Ext.1 -Signature of Mantu Oraon on seizure list
 - (b) Ext.2-Entire written report of the Jairam Singh
 - (c) Ext.2/1- The signature of A.S.I. Jairam Singh on the written report.
 - (d) Ext.3- The post-moretem examination report,
 - (e) Ext.1/2-The entire seizure list
 - (f) Ext.1/3-Signature of Nakul Dubey on the seizure list.
 - (g) Ext.4- The formal FIR.
 - (h) Ext.5-Inquest Report.

- (i) Ext.5/1-The signature of Nakul Dubey on the post-mortem examination report.
 - (j) Ext.6-The confessional statement of Birsi Tigga made before the police
 - (k) Ext.7-The statement under section 164 of Cr.P.C. of Birsi Tigga and
 - (l) Ext.X -The thumb impression of Birsi Tigga over the confessional statement.
5. The case of the defence is totally denial from the occurrence and false implication. However, no oral or documentary evidence has been adduced by the defence.
6. Learned trial court after apprising and appreciating the oral as well as documentary evidence adduced by the prosecution and hearing the arguments of prosecution and defence arrived at conclusion that the prosecution has been able to prove its case beyond all reasonable doubts against Birsi Tigga. Accordingly, the appellant was held guilty and sentenced for the offences charged as stated above, which has been assailed in this appeal.
7. Learned counsel for the appellant has strenuously argued that learned trial court has simply translated the depositions of the witnesses into english version and heard the arguments of

learned prosecutor for the State and the defence counsel but has failed to record any reasons as to why and under what circumstances, he placed reliance upon the point of arguments raised on behalf of the prosecutor and ignored the arguments of defence. It is further submitted that admittedly, there is no eye-witness of the occurrence and no judicial confession was made by accused in her statement under section 164 of Cr.P.C before the Magistrate. Some of the witnesses have manipulated a false story, which was used as extra-judicial confession of the appellant before them. The seized brick was not bloodstained and it was never sent to FSL for chemical examination. Merely, seizure list was proved and material exhibit was never produced during the trial. The statement of the accused recorded under section 164 of Cr.P.C. (Ext.7) has been ignored from consideration and extra-judicial confession has been given preference and made the sole basis of conviction of the accused. It is settled law that extra-judicial confession is a very weak type of evidence and cannot be made basis of conviction without independent corroboration from some other source. In the instant case, there is no iota of legal evidence at all against the appellant, therefore, the impugned judgment and order of

conviction and sentence of the appellant is liable to be set aside by allowing this appeal.

8. **Per contra**, learned S.P.P. appearing for the State defending the impugned judgment and order of the conviction and sentence of the appellant has submitted that the learned trial court has very wisely and aptly apprised and appreciated oral as well as documentary evidence available on record and extra-judicial confession of the appellant leading to recovery of brick used for causing death of the deceased and other circumstances proved by the prosecution and has rightly held the appellant guilty and sentenced her for the offences charged against her. There is no illegality or infirmity in the impugned judgment and order calling for any interference in this appeal, which is devoid of merits and fit to be dismissed.

9. We have perused the trial court record along with impugned judgment in the light of contentions raised on behalf of both sides.

10. First of all, we have to brief resume of oral testimony of witnesses executed by prosecution.

P.W.1 Anima Tingga is younger sister of the deceased and has stated that the occurrence is of 10.05.1998. She had gone to attend the marriage of her younger brother and when

she returned on 11.05.1998, she did not find her elder brother in the house, then she asked from her Bhabhi(appellant) but she disclosed that she does not know where he has gone. Thereafter, on 20.05.1998, the appellant disclosed to this witness that a dead body has been found in Bariyatu, which may be of her brother. This witness went to Bariyatu and identified the dead body, which was of her brother. The dead body was sent for postmortem and thereafter cremated. This witness has further stated that her Bhabi (appellant) disclosed on the next day that she has murdered her husband.

P.w.2 Bijay Tigga is younger brother of the deceased. According to this witness, his marriage was scheduled on 10th May, 1998 and he went to his Sasural and returned to his house on 18th May but he did not find his elder brother in the house, then he asked from Bhabhi(appellant) but no clue was found. Suddenly, on 20th May, his Bhabhi (appellant) told him to go to Bariyatu Medical College for bringing the dead body and also gave Rs.400/- . He identified the dead body of his brother at Bariyatu Medical College. Thereafter, his Bhabhi (appellant) disclosed before the family members that she has assaulted her husband by brick of the Chulaha and packed the dead body in a bag and disposed of in a drain.

P.W.3 Matam Oraon is also younger brother of the deceased. According to his evidence, on 7th May, 1998, there was marwa(मङ्वा) of his elder brother namely Bijay Oraon (P.W.2) and on 10th May, marriage was solemnized, he had also gone to sasural of his brother and his elder brother Budhuwa Oraon, his wife and grandfather were in the house. When he returned from the marriage ceremony to the home, he did not find his brother Budhuwa Oraon. After 4-5 days, his Bhabhi disclosed that she has committed wrong and further explained that she has committed murder of her husband. Then, this witness went to police station for lodging the case. This witness also admits that Budhuwa Oraon has two wives Birsi Tigga and Munka. Munka was residing at another place at Dibdih and his brother Buhduwa Oraon was residing with second wife most of time and meagre time, he spent with his first wife. He could not know who has killed his brother. Since, his bhabhi had confessed her own guilt, hence, he apprehends that she might have committed murder his brother. He has proved his signature at the seizure list of brick.

P.W.4 ASI Jairam Singh is the informant. According to this witness, on 13.05.1998 at about 23:30 hours, in the night, he received telephonic message from some unknown persons that

a dead body is lying near Punjab National Bank towards east side of animal husbandry office in a drain. This witness along with other police personnels went to the place of occurrence and found the dead body of an unknown person lying in a drain packed in a gunny bag. There was head injury and also injury on right eyes. The FIR was registered on the basis of self-statement of this witness.

P.W.5 Basia Devi is sister-in-law of the deceased. According to her evidence, she has identified the dead body of the deceased by his photo shown by the police; she has simply stated that Birsi Tigga confessed her guilt and stated that she committed murder of Budhuwa Oraon.

In her cross-examination, this witness states that mostly the deceased was residing at Dibdih in the house of his second wife. She also admits that from the house of the deceased, Ashok Nagar Kadru Argora Road is situated at a distance of one mile. She also admits that the place of occurrence from where the dead body was recovered is adjacent from the place of marriage of devar, was being solemnized. She also admits that Budhuwa Oraon kept a second wife namely Munka Devi, who was residing at Dibdib and for the first time, she came to know about occurrence on

20th May, 1998 at about 3 P.M when she talked with Birsi Tigga. She also admits that When Budhuwa Oraon was not found, a report was lodged on 14-15th May at police station.

P.W.6 Etwa Oraon is cousin of the deceased. According to this evidence, upon information by the police, he went to Bariyatu Medical College and saw the dead body of the Budhwa Oraon and the first wife of Budhwa Oraon confessed her guilt before this witness and other family members.

P.W.7 Dr. Rajiv Ranjan Das has conducted post-mortem examination on the deceased and found following injuries (Ext.B):

(1) Lacerated wounds:

(i) 7x4 cm into bone deep on left tempo parietal region of head with depressed and communicated fracture on underline bone measuring 8 x 5 cm area. There is presence of blood and blood clot in the central cavity.

There is crack fracture of right tempo parietal bone.

Opinion:- (i) the above injury is ante-mortem

(2) caused by hard and blunt substance.

Death is due to head injury. Time since death 3-7 days from the time of post-mortem examination.

The report is prepared by me and bears my signature and is marked as Ext.3.

Cross-examination on behalf of accused person.

(3) There was 2nd evidence of ligature in the body of deceased.

(4) At the time of post examination the body of the deceased was identified by relative of deceased.

P.W.8 Ropna Oraon, father of the deceased has also stated that on 10th May, 1998, he had gone to attend marriage of his younger son Bijay Oraon leaving his wife, elder son Budhwa and his wife Birsi Tigga and children in the house. When he returned on 11th May, Buduwa Oraon was not in the house and till 14th May Budhwa Oraon was not found. In the evening of 14th May, a dead body was recovered by the police.

He further deposed that at the instance of Birsi Tigga, he went to medical college where the dead body of his son was found and identified. He has also disclosed that after crimination of the dead body, Birsi Tigga has confessed her guilt and told that she has committed murder of her husband by assaulting by brick, otherwise, she might have been killed by her husband. He also admits that the deceased was having another wife and addict of taking liquor. His wife Phulo Devi disclosed nothing

about the occurrence and his grandchild Anil about 9-10 years old has also stated nothing.

P.W.9 is the Investigating Officer of this case has admitted in his cross-examination that at the place of occurrence, he has not collected the bloodstained soil and has also not interrogated with any resident of second place of occurrence. He has also interrogated with the second wife of the deceased Munika but she has not been made witness in this case.

P.W.10 Sri H.N. Shukla, Judicial Magistrate First Class has recorded the statement of the accused under section 164 of Cr.P.C., wherein she has claimed her to be innocent and denied to have committed the murder of her husband. Her statement has been proved as Ext. 7 itself.

11. From perusal of the impugned judgment, it transpires that the prosecution has formulated following circumstances in order to prove the guilt of the accused/appellant:

(a) There is no eye-witnesses of the occurrence and the entire case is based on circumstantial evidence led to the extra-judicial confession of the accused.

(b) Admittedly on 10.05.1998, all the family members of the informant party except the accused Birsi Tingga

her husband (since deceased) and his mother had gone to attend the marriage ceremony of younger brother of the deceased.

(c) On 11.05.1998, the family members returned from the marriage ceremony and found Budhwa Tigga was not present in the house.

(d) On 11.05.1998 on enquiry made with the accuse, she did not disclose about what happened with her husband.

(d) In the night of 13.05.1998, the unknown deadbody was recovered by P.W.4 which was later on identified by the prosecution witnesses to be Budhuwa Tigga.

(e) In the presence of P.Ws. 1, 2, 3 ,6 and 8, the accused Birsi Tigga made an extra-judicial confession on 20.05.1998 accepting her guilt.

(f) The post-mortem report of the deceased proved by Dr. R. K Das regarding the manner of death of the deceased corroborates the extra-judicial confession of Birsi Tigga.

(g) The motive behind the murder of the deceased is that he has kept a second wife as a concubine at another place.

As per prosecution, the aforesaid circumstantial evidence coupled with extra-judicial confession of the accused/appellant conclusively proved the chain of circumstances so as to complete all the events pointing towards the guilt of the accused and nothing else.

12. We find that learned trial court after hearing the arguments of both the parties and discussing the evidence of witnesses observed that in the circumstances of the case, there is considerable force in the submission of the learned A.P.P. The prosecution has been able to prove its case beyond the shadow of all reasonable doubts against Birsi Tigga. In this view of the matter, I herein held Birsi Tigga guilty under section 302 of IPC that on 10.05.1998, she committed murder of her husband by assaulting him by brickbat on his head. I also held the guilty under section 201 of IPC that on 10.05.1998, the accused Birsi Tigga having reasons to prove committed offence of murder punishable of death and life in order to cause disappear the dead body with intention to screen herself from legal punishment throw the dead body in a gunny bag near Punjab National Bank on the main road. I accordingly, held guilty the accused Birsi Tigga under section 201 of IPC.

13. We are surprised that learned trial court has not taken pain to critically examine the circumstances relied upon by the prosecution in the light of evidence available on record and simply approved the plea taken by the prosecution without disclosing any reasons as to how he is convinced with the formulation of the circumstances relied by the prosecution are proved beyond all reasonable doubt.

14. We have given anxious consideration to overall aspect of the case and find that the conviction of the appellant is based upon her extra-judicial confession made before the witnesses alone but none of the other circumstances relied upon by the prosecution have been proved conclusively. We may summarize glaring defects in the prosecution evidence, which makes entire episode to be not trustworthy as against the present appellant:-

(i) There is no concrete proof that on 10.05.1998 on the occasion of marriage ceremony of Bijay Tigga (P.W.2), all the family members have gone to attend marriage and only the accused/appellant and her husband(deceased) were in the house.

(ii) The evidence of prosecution witnesses as regards confessional statement of the accused does not appear to be consistent, cogent and reliable.

(iii) In view of the fact that, **P.W.1 Animo Tingga**, who is sister-in-law of the appellant clearly states that she returned on 11.05.1998 from the marriage ceremony and did not see her brother in the home then she asked with the accused/appellant but the appellant disclosed nothing about her husband. According to Animo Tingga, the dead body was recovered by the police on 20.05.1998 her Bhabhi(appellant) suspected that it might be of her husband then the dead body was brought to home after post-mortem. She also disclosed that in the next date of morning, her Bhabhi(appellant) disclosed that she has committed murder of her husband.

(iv) **P.W.2 Bijay Tingga**, whose marriage ceremony was going on, claims to have returned on 10.05.1998 itself in the night. He came to know for the first time on 20th May that the dead body is found and kept at Bariyatu Medical College then his Bhabhi(appellant) gave Rs.400/- and the dead body was brought to home.

Thereafter, it is alleged that the appellant confessed her guilt before all family members that she has caused death her husband by assaulting through brick used in *chulah* and disposed of the dead body keeping in a gunny bag.

(v) **P.W. 3 Mamta Oraon** is also sister of the deceased, she returned from marriage ceremony in the next day of morning and asked about her brother but the appellant disclosed nothing but after 4-5 days, she told that she had committed wrong and confessed her guilt.

(vi) **P.W.4 ASI Jairam Singh** has received a telephonic message from some unknown persons about dead body lying near Punjab National Bank on 13.05.1998 at about 20:30 AM but the aspect of the case has not been investigated as to from which member the call was received and to whom belonged. Such type of information given at odd time in the night must have been given by the person who might be acquainted with the commission of offence. The investigating Officer never tried to ascertain from whom the said information was received.

(vii) **P.W.5 Basia Devi** is also family member of the deceased, whose claims that on 14th May itself, she came to know that a dead body has been recovered by the police and she identified the dead body of Budhwa Tigga by showing photo of the deceased. Thereafter, Birisi Tigga confessed her guilt in the presence of family members.

(viii) **P.W.8 father-in-law** of the accused/appellant, who also admits that he came to know that the dead body of Budhwa Tigga was found on 14th May and brought to home, thereafter, the accused confessed her guilt.

(ix) At this juncture, it is relevant to mention that **P.W. 10 H.N. Shukla, Judicial Magistrate, First Class** has recorded the statement of accused under section 164 of Cr.P.C on 23.05.1998, wherein she has claimed herself to be innocent and expressed no knowledge about who has committed murder of her husband. This statement was recorded by the Magistrate just after three days of the alleged extra-judicial confession statement of the accused made before the aforesaid witnesses.

(x) It appears that learned trial court has miserably failed to enquire into about the confessional statement of the appellant before her family to be true and voluntary, which is *sine-qua non* for acting upon extra-judicial confession. The witnesses of facts namely P.Ws. 1, 2, 3, 6 and 8 whose testimony has been relied by the prosecution have not consistently reproduced the exact words of the appellant amounting to her confession of the guilt. Aforesaid prosecution witnesses has failed to bring on record any incriminating circumstance appearing against the appellant except the aforesaid extra-judicial confession. It is alleged that the death of the deceased was caused by assaulting on head by brick of chulaha but said brick was never produced before the court as material Ext. nor it was got examined through FSL for establishing the mark of any bloodstains. The blood sample of the deceased was also not available. The bloodstained soil was also not taken from the place of occurrence.

(xi) It appears that the Investigating Officer has not made any objective investigation at the alleged original

place of occurrence, which is house of the deceased itself. It is highly improbable that the appellant would alone cause death of her husband by assaulting him and putting his dead body into a gunny bag and dispose of the same at distance of one mile away from her house rather it has come in the evidence of witnesses that the dead body was found nearer the place where the marriage ceremony was going on.

(xii)The telephonic information was given to the police in the night itself on 13th May also raise reasonable suspicion in the prosecution case as against the appellant. It suggest that someone else was aware of the commission of murder of the deceased and disposal of the dead body in a drain near veterinary hospital beside Punjab National Bank and had informed the police and the dead body was recovered till then the present appellant has made no confessional statement before any person of the family rather she gave money of Rs.400/- to Vijay Tigga for bringing the dead body from the hospital after postmortem.

(xiii)It is also not trustworthy that the appellant on 20th May would make confessional statement before the family members admitting her guilt and which is after two days i.e. 23.05.1998 when her statement was recorded under section 164 of Cr.PC wherein she has declined the commission of offence by her rather expressed her innocence. Therefore, the alleged extra-judicial confession of the appellant does not find corroboration from any independent evidence and cannot be relied upon for forming basis of conviction of the appellant.

15. The concept of evidentiary value of extra-judicial confession was discussed in detail in the constitutional bench judgment of *Haricharan Kurmi Vs. State of Bihar AIR 1964 SC 1184* in which the Court came to conclusion that an extra-judicial confession can only be used to strengthen the opinion formed by the Court after perusing other pieces of evidence placed on record. It was held that the Court cannot start with the confession rather it has to be taken with the other evidence and after it has formed an opinion with regard to quality and effect of said evidence, can it term to the confession for receiving an

assurance to the conclusion of guilt which the judicial mind is about to reach from such other evidence..

16. In the case of **Shahdevn Vs. State of Tamil Nadu (2012) 6 SCC 403**, the Apex Court called out certain principles regarding the reliability of extra-judicial confession, which are reproduced as under:

- (i) The extra-judicial confession is weak evidence by itself.
- (ii) It has to be examined by the Court with greater care and caution.
- (iii) It should be made voluntarily and should be truthful.
- (iv) It should inspire confidence.
- (v) An extra-judicial confession attests greater credibility and evidentiary value if it is supported by a chain of cogent circumstances and is further corroborated by other prosecution evidence.
- (vi) For an extra-judicial confession to be the basis of conviction, it should not suffer from any material discrepancies and inherent improbability.
- (vii) Such statement is initially has to be proved like any other fact and in accordance with law.

17. Keeping the aforesaid principles in mind, recently the Hon'ble Apex Court in the case of **Prabhat Bhai @ Aata Bhai**

Dabhi Vs. State of Gujarat (2023) INSC 1003 have examined the importance of the quality of evidence, particularly in cases where extra-judicial confession has been taken into account as evidence, most especially in a murder case. The Apex Court acquitted the convict while emphasizing the fact that for extra-judicial confession to be considered as evidence against the accused, the same should be of sterling quality and should be consistent with the chain of evidence produced before the Court. The Hon'ble Court while acquitting the convict observed that normally any accused person would make a confessional statement before a person in whom he has complicit faith, which is an important and relevant fact while determining the evidentiary value of the confession may for reaching to the conclusion of conviction. In our considered opinion, the sterling witnesses should be of very high quality and caliber, whose version, therefore, be unassailable. The Court considering the version of such witnesses should be in possession to accept it for its face value without any hesitation. To test the quality of such a witness, the status of the witness would be immaterial and what would be relevant is the truthfulness of the statement of the appellant made by such a witness. What would be more relevant would be the

consistency of the statement right from the starting point till the end, namely, at the time when the witness makes the initial statement and ultimately before the Court. It should be natural and consistent if the case of the prosecution qua the accused. There should not be any prevarication in the version of such witness, the witness should be in a position to withstand the cross-examination of any length and howsoever strenuous it may be and under no circumstance should give room for any doubt as to the factum of the occurrence, the person involved, as well as the sequence of it. Such a version should have correlation with each and every one of other supporting material such as the recoveries made, the weapons used, the manner of offence committed, the scientific evidence and the expert opinion. The said version should consistently match with the version of every other witness. It can even be stated that it should be akin that the test applied in the case of circumstantial evidence where there should not be any missing link in the chain of circumstances to hold the accused guilty of the offences alleged against him. Only if the version of such a witness qualifies the above test as well as all other such test to be applied. Can it be held that such a witness can be called as a "sterling witness" whose version can be accepted by the Court

without any corroboration and based on which the guilty can be punished. To be more précised, the version of the said witness on the core spectrum of the crime should remain intact while all other contended materials namely oral, documentary and material should match said version in material particulars.
In order to enable the court and trying the offence rely on core version to sieve the other supporting materials upholding the appellant guilty of the charge alleged.

18. We have thoughtful consideration of overall aspects of the case as brought on record by the prosecution and arrive at conclusion that the learned trial court has proceeded from the extra-judicial confession of the appellant and ignored to search out any of the corroborating evidence in support of the extra-judicial confession. We also find that if extra-judicial confession of the appellant is excluded from consideration it be decipher the prosecution case that is to say, there is no other evidence at all to even presume the guilt of the appellant. Moreover, the extra-judicial confession of the appellant, is absolutely not reliable although it is made before the family members. Therefore, we are constrained to hold that the learned trial court has committed serious illegality in accepting the alleged extra-judicial confession of the appellant without

any corroborative evidence. There are also no circumstantial evidences leading towards the guilt of the appellant. In view of the above discussion and reasons, we set aside the impugned judgment and order of conviction and sentence of the appellant and allow this appeal.

19. Appellant is on bail and discharged from liability of bail bond.

Sureties shall also be discharged.

20. Pending I.A(s), if any, is also disposed of accordingly.

21. Let the copy of this judgment along with record of trial court be sent back for information and needful.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Jharkhand High Court, at Ranchi

Date: 11 /12 /2024

Pappu/- N.A.F.R.