

(2025:JHHC:11128)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2320 of 2025

Babu Das @ Uttam Kumar Das, s/o Rajendra Das, age-37
years, r/o H. No.06, Near Block Campus, Gamharia, P.O. &
P.S.-Gamharia, Dist.-Seraikella-Kharsawan (Jharkhand)

... Petitioner

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Amit Kumar, Advocate
(Through Video Conferencing)

For the State : Mr. Arup Kr. Dey, Addl. P.P.

Order No.02 Dated- 11.04.2025

Heard the parties.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Kadma P.S. Case No.91 of 2024 registered for the offences punishable under sections 302/34 of the Indian Penal Code and under Section 27 of Arms Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons has committed the murder of Bholu Kumhar. It is submitted that the allegation against the co-accused Vicky Nandi is of firing at the head of the deceased with firearm and the allegation against the petitioner is only of assaulting the deceased with sharp edged weapon (*chapaad*) on his head. It is further submitted that the allegations against the petitioner are all false and the postmortem report shows that the death of the deceased was because of fire arm injury and there is no allegation against the petitioner of firing from firearm. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that there is

direct allegation against the petitioner of assaulting the deceased with a sharp cutting weapon like *chapad* on his head so the petitioner is squarely responsible for the murder of Bholu Kumhar with the aid of Section 34 of Indian Penal Code. It is next submitted that in view of the serious nature of allegation against the petitioner, the custodial interrogation of the petitioner is required during the investigation of the case to find out the details of the case. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner and the requirement of custodial interrogation of the petitioner during the investigation of the case, this Court is not inclined to give the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of privilege of anticipatory bail to the petitioner is rejected.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-