

(2025:JHHC:11120)
IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2318 of 2025

Sourav Tiwary @ Saurav Kumar Tiwary, aged about 26 years,
son of late Pradeep Tiwary, r/o Village+P.O.-Haskher, P.S.-
Garhwa Nagar, Dist.-Garhwa (Jharkhand)

... Petitioner

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. L.C.N. Shahedeo, Advocate
For the State : Mr. Vishwanath Roy, Spl. 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 Garhwa P.S. Case No.342 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 committed the murder of Taiyab Ansari. It is further submitted that the allegations against the petitioner are all false and the allegation of firing on Taiyab Ansari is upon Ravi Tiwari. It is then submitted that co-accused-Ravi Tiwari is facing the trial vide S.T. No. 284 of 2024 and so far, nine witnesses have been examined in that case including the informant- who has been examined as P.W.3 and none of them has stated anything to support the case of the prosecution. It is also submitted that P.W.3 -informant has

categorically stated in his deposition, a copy of the certified copy of which has been kept at page no. 28-29 of the brief that he mentioned the name of the accused persons in the FIR without reading the names of the accused persons and he has signed the FIR without reading the names of the accused persons and police deliberately mentioned the names of the accused person even though the informant was not aware about the occurrence. It is then submitted that the informant has been declared hostile like several other witnesses, in the trial, whose depositions have been annexed with the anticipatory bail application. It is then submitted that the petitioner undertakes to furnish sufficient security including cash security and also undertakes to cooperate with the investigation of the case and further undertakes that he will not annoy or disturb the informant or any of the other witnesses of the case, in any manner during the pendency of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the abovenamed petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs. 50,000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Garhwa, in connection with Garhwa P.S. Case No.342 of 2024 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case with further condition that he will not annoy or disturb the informant or any of the other witnesses of the case in

any manner during the pendency of the case subject to the conditions laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-