

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.3390 of 2026

Eshu Baraik @ Esu Baraik, aged about 25 years, Son of Late Indra Baraik, Residnet at village Thethaitangar Bazar Toli, P.O. & P.S. Thethaitangar, District Simdega.

.... Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Jitendra Shankar Singh, Advocate
 Mr. Gaurav, Advocate
 Mr. Rajesh Kumar, Advocate
For the State : Mr. Santosh Kr. Shukla, Addl.P.P.
For the Informant : Mr. Naresh Kumar, Advocate
 Mr. Vikram Kumar, Advocate

Order No:-02 Dated:-23-04-2026

Heard the parties.

The petitioner has been made accused in connection with T. Tangar P.S. Case No. 66 of 2025 registered for the offences punishable under Section 115(2), 126(2), 109, 3(5) of the B.N.S., 2023.

Learned counsel for the petitioner files the supplementary affidavit.

Keep the same in the record.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused persons, has committed murder of Binay Kullu. It is next submitted that the allegation against the petitioner is false. It is then submitted that the only basis of implication of the petitioner in the case concerned is that in the statement made by the deceased in the hospital, where the deceased was treated, the deceased disclosed that the co-accused Ajay arranged the liquor and the petitioner and the co-accused persons made the deceased take liquor but there is neither any allegation against the petitioner or any of the co-accused persons of assaulting the deceased, nor the deceased has admitted the same. It

is next submitted that the deceased under the influence of liquor fell down and sustained injury, which ultimately resulted in his death during the course of his treatment, after about 10 days. It is then submitted that there is an inordinate delay in lodging the F.I.R. and at present, the petitioner is having no criminal antecedent as the sole case in which he was involved being T. Tangar P.S. Case No. 03 of 2018 resulted in acquittal of the petitioner, vide judgment dated 08.06.2018 passed in G.R. No. 11 of 2018 by the learned Judicial Magistrate-1st Class, Simdega. It is further submitted that the petitioner has been in custody since 21.01.2026 as mentioned in para-27 of the instant bail application. It is lastly submitted that the petitioner undertakes to co-operate with the trial of the case and also undertakes not to annoy or disturb the witnesses of the case in any manner during the trial of the case. Hence, it is submitted that the petitioner be released on bail.

Learned counsel appearing for the State and the learned counsel for the informant oppose the prayer for bail of the petitioner.

Considering the facts of this case, the above-named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Simdega in connection with T. Tangar P.S. Case No. 66 of 2025 **with the condition that he will co-operate with the trial of the case and furnish his mobile number and photocopy of the Aadhar Card in the court below with an undertaking that he will not change his mobile number during the trial of the case and he will not annoy or disturb the witnesses of the case in any manner during the trial of the case.**

(Anil Kumar Choudhary, J.)