

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 3142 of 2026

Md. Arif, Son of Md. Hanif	...	...	Petitioner
	Versus		
The State of Jharkhand	...	...	Opp. Party

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner	: Mr. A. K. Kashyap, Sr. Advocate
	Mr. Manoj Kumar Sah, Advocate
For the Opp. Party	: Mr. Sardhu Mahto, Advocate

03/6th May 2026

1. Learned counsel for the petitioner submits that the petitioner is in custody in connection with Pathargama P.S. Case No. 13 of 2026 for the offence registered under Sections 85, 109, 118(2), 351(2), 352, 61(2) of BNS and Section 3/4 of Dowry Prohibition Act and Section 27 of Arms Act, now said to have been pending in the court of learned S.D.J.M., Godda.
2. Learned senior counsel for the petitioner submits that the petitioner is in custody since 21.01.2026 having no criminal antecedent. The learned senior counsel submits that as per the FIR, there was matrimonial discord between the husband and wife and there were further litigations between them. It has been alleged that the family members of the husband had hired persons to kill the victim. However, the victim managed to escape and only simple injury was found by way of gun shot. Learned counsel submits that the petitioner does not belong to the said family and has not been named in the FIR. However, the petitioner has been made an accused primarily on the basis of the confessional statement of the co-accused as well as his own confessional statement.
3. Learned counsel for the opposite party has opposed the prayer and has submitted that apart from the confessional statement as per the CCTV

Footage, the vehicle of the petitioner was crossing by the victim while she was moving with her brother. He has referred to paragraph 11 of the case diary to submit that, upon examination of the CCTV footage, the motorcycle seen passing at a short distance behind the informant was identified, and upon inquiry, it was found to be registered in the name of the petitioner. However, from perusal of paragraph 11 of the case-diary, apart from this aspect of the matter, there is nothing to show that the petitioner shot any gun fire or assaulted the victim.

4. The learned counsel for the opposite party has also referred to paragraph 109 of case-diary to submit that there was telephonic conversation amongst the in-laws of the informant and the petitioner.

5. After hearing the learned counsel for the parties and considering the fact that the petitioner has been made accused on the basis of the confessional statement and that the petitioner does not belong to the family of the victim and has no criminal antecedent, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Godda in connection with Pathargama P.S. Case No. 13 of 2026, subject to the following conditions:

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- (i) One of the bailors would be the present *pairvikar* of the petitioner.
- (ii) The other bailor should be his close relative.
- (iii) The petitioner will attend the court on each and every date and on account of his single default, the learned court shall cancel the bail bond furnished by the petitioner.
- (iv) The petitioner would deposit a self-attested copy of his Aadhar Card along with his Mobile Number before the learned court below, which he shall not change during the pendency of the case without prior permission of the court.

(v) The petitioner shall fully co-operate with the proceedings before the learned court below.

6. The instant bail application is allowed with the aforesaid conditions.

7. Let a copy of this order along with a copy of the affidavit filed with the bail petition be communicated to the court concerned through 'e-mail/FAX'.

(Anubha Rawat Choudhary, J.)

Dated: 06.05.2026
Uploaded On: 09.05.2026
Mukul/-