

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3680 of 2025

Shiva @ Shiva Singh, son of Jaktar Singh, resident of H.No. L/49, Line No. 30, Bajrang Nagar, PO and PS Golmuri, District East Singhbhum, Jamshedpur **Petitioner(s)**

Versus

The State of Jharkhand. **Opposite Party(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Arvind Kr. Choudhary, Advocate.

For the State : Mr. Suraj Deo Munda, A.P.P.

05/ 10.07.2025

Heard the parties.

2. This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences registered under Sections 126(2)/127(2)/115(2)/117(2)/109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 pending in the court of learned Judicial Magistrate-1st Class, Jamshedpur in connection with Golmuri PS Case No. 172 of 2024.

3. Learned counsel for the petitioner submits that except section 109 of BNS all the offences are bailable. He submits that section 109 of BNS is not attracted so far as this petitioner is concerned considering the overt act as alleged in the FIR.

4. Learned A.P.P. representing the State opposes the prayer for anticipatory bail.

5. After hearing learned counsel for the petitioner, I find that the allegation against the petitioner is that he and others assaulted the son of the informant. The son of the informant was admitted in T.M.H Hospital. The injury was found over head, left arm was found fractured and there are other injuries on back and foot.

6. It is alleged that the petitioner and 14-15 persons have assaulted the son of the informant with iron rod and butt of the pistol.

7. Considering the fact that there is assault, I direct the petitioner to appear before the concerned Court who will consider as to whether section 109 of BNS, on the facts and overt act, is attracted so far as this petitioner is concerned or not and thereafter pass an appropriate order.

8. Accordingly, this anticipatory bail application stands **disposed of**.

(ANANDA SEN, J.)

Tanuj/Cp-3