

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 2179 of 2026

Nand Kishore Paswan, aged about 55 years, son of Late Bigan Paswan, resident of village – Chainpur, PO – Birbal, PS – Dhurki, District - Garhwa **.... Petitioner**

-- Versus --

The State of Jharkhand **.... Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Manoj Kr. No.2, Advocate
For the State :- Mrs. Vandana Bharti, Advocate
For the Informant :- Mr. Pramod Kr. Choudhary, Advocate

02/07.05.2026 Heard learned counsel appearing for the petitioner, learned counsel appearing for the State and learned counsel appearing for the Informant.

2. The petitioner is apprehending his arrest in connection with Dhurki P.S. Case No.10 of 2025 for the alleged offences registered under Sections 318(4), 338, 336(3), 340(2), 303(2) and 351(3) of Bharatiya Nyaya Sanhita, 2023 pending in the Court of learned Judicial Magistrate 1st Class, Nagar Untari, Garhwa.

3. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case and for the dispute in question one original suit is also filed. He further submits that if any case is made out that is civil in nature and for that criminal case has been lodged.

4. Learned counsel appearing for the State and Informant

jointly opposed the prayer and submits that the petitioner was looking after the land of the informant and after death of father of the informant he has sold certain land to another person and when the informant objected, he has also threatened that the informant will be implicated in the case of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act. On these grounds, they submit that the anticipatory bail may kindly be rejected.

5. Considering that the petitioner was authorized to look after the land of the informant and after death of the father of the informant he has sold certain land and on objection threatening was issued by the petitioner. It is well known that if a matter is arising out of civil nature the criminal case cannot be proceeded, however, if the criminality is shown the criminal case as well as civil case can be maintained and there is direct allegation against the petitioner of fraudulently selling the land of the informant as the said land was in the possession of the petitioner as he was looking after the land of the informant.

6. In the attending facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner, hence, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Sanjay Kumar Dwivedi, J.)

*Dated 07.05.2026
Sangam/*