

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. no. 3366 of 2026

Manshu Mahto @ Mansh Mahto, Aged about 74 years, Son of
Late Dharam Mahto, Resident of Village Gagi Tola,
Bhelwatand, P.O. & P.S.- Petarwar, District- Bokaro.

... Petitioner

Versus

The State of Jharkhand

... Opp. Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Md. Faiyaz Alam , Adv.

For the State : Mr. Shashi Kr. Verma , Addl. PP

02 / 23.04.2026

Heard the parties.

The petitioner has been made accused in connection with Peterwar P. S. case no. 149 of 2023 instituted under Section 302/34 of IPC.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner being member of an unlawful assembly, committed murder of the father of the informant namely Vishwanath Mahto consequent upon the land dispute between the parties. It is submitted that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 18 of the bail application. It is next submitted that the petitioner has been in jail custody since 19.02.2026, as mentioned in para 19 of this bail application. It is next submitted by learned counsel for the petitioner that the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be admitted to bail.

Learned Addl. P.P. appearing for the State vehemently opposes the prayer for bail and submits that it

is the settled principle of law that all the members of an unlawful assembly are squarely responsible for the offence committed in prosecution of the common object of the unlawful assembly and in this case the offence of murder has been committed, in pursuance of the common object of the assembly and the petitioner was leader of the unlawful assembly. It is next submitted that there is every chance of the petitioner absconding and tampering with evidence, if released on bail. It is therefore submitted that the petitioner ought not be released on bail at this stage.

Considering the serious nature of allegation against the petitioner as well as the chance of his tampering with the evidence and absconding, if released on bail, this Court is of the considered view that this is not a fit case where the above-named petitioner be released on bail. Accordingly, the prayer for bail of the above-named petitioner is rejected at this stage.

(ANIL KUMAR CHOUDHARY, J.)

Dated 23.04.2026
Smita/-