

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 3864 of 2026

Gautam Kumar @ Gautam Kushwaha, Son of Rooplal Mahto @
Ruplal Mahto, aged about 29 years. **Petitioner**
Versus
The State of Jharkhand **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Diwakar Jha, Advocate
For the Opp. Party-State : Mr. Rakesh Ranjan, APP

04/07.05.2026

1. Heard the learned counsel appearing on behalf of the parties.
2. Learned counsel for the petitioner submits that the petitioner is in custody since 02.12.2025 in connection with Telaiya P.S. Case No. 338 of 2025, for the alleged offence registered under Sections 87 of the Bharatiya Nyaya Sanhita, 2023 pending in the court of learned ACJM, Koderma.
3. Learned counsel for the petitioner submits that the victim is a major. He has also submitted that it is alleged that the petitioner was married still he had taken away the victim and lived with her as husband and wife and the victim was recovered with the petitioner. Learned counsel has further submitted that out of five charge sheeted witnesses, not even one witness has been examined as per impugned order dated 28.03.2026 and the victim has also refused to be medically examined by the doctor.
4. Learned counsel appearing on behalf of the opposite party-State has opposed the prayer. However, the aforesaid submissions which have been made by the learned counsel for the petitioner, on the basis of materials placed on record, is not in dispute.
5. After hearing the learned counsel for the parties and considering the fact that the victim was major and it is alleged that the victim and the petitioner stayed together as husband and wife and as the petitioner is in custody since 02.12.2025, 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 learned ACJM, Koderma in connection with Telaiya P.S. Case No. 338 of 2025 on the following conditions:

- (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 will deposit a self-attested copy of his Aadhar Card along with his mobile number before the learned court which he will 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 'FAX/E-mail'.

(Anubha Rawat Choudhary, J.)