

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 3307 of 2026

Nainu Munda, aged about 35 years son fo Bira Munda

... .. **Petitioner**

Versus

The State of Jharkhand

... .. **Opp. Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Abhay Kumar Chaturvedy, Advocate

For the Opp. Party : Mr. Rakesh Ranjan, Addl.P.P.

02/20.04.2026

Heard the learned counsel appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 27.11.2020 in connection with Saiko P.S. Case No. 35 of 2020 (G.R. Case No. 115 of 2021 & S.T. No. 35 of 2020) for the offences registered under Sections 302, 201, 34 of the Indian Penal Code, pending in the court of learned Sessions Judge, Khunti.

3. Learned counsel for the petitioner submits that the petitioner has been made accused only on suspicion and he is in custody since 27.11.2020.

4. He has submitted that the bail order of co-accused reveals that the co-accused has been granted bail by a coordinate Bench of this Court in B.A. No. 7473 of 2025 vide order dated 10.10.2025 after recording that at that stage out of 7 witnesses only 4 witnesses were examined. He submits that as per the impugned order also out of 7 witnesses only 4 witnesses were examined. He submits that no witness has turned up after 10.10.2025. Learned counsel has further submitted that the witnesses who have given the statement to connect the petitioner with the alleged offence have turned hostile.

5. Learned counsel for the opposite party-State has no response with respect to non-examination of witness after 10.10.2025 and it appears that the State is not producing the witnesses promptly and the petitioner has remained in custody from 27.11.2020 and the co-accused has already been granted bail on account of non-production of witnesses.

6. After hearing the learned counsel for the parties and considering the aforesaid facts that the similarly situated co-accused have been enlarged on bail by a co-ordinate Bench and the State is completely failed to promptly produce the witnesses before the court and the petitioner is in custody since 27.11.2020, the petitioner above named 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 Sessions Judge, Khunti in connection with Saiko P.S. Case No. 35 of 2020 (G.R. Case No. 115 of 2021 & S.T. No. 35 of 2020) for the offences registered under Sections 302, 201, 34 of the Indian Penal Code, pending in the court of 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.

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

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

(Anubha Rawat Choudhary, J.)