

(2026:JHHC:12566)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 3584 of 2026

1. Shashi Kant Kumar Agarwal @ Shashi Kant Agarwal, aged about 37 years, so of late Punichand Agarwal @ Punichand Modi.
 2. Sitaram Modi, aged about 60 years, son of late Badri Modi.
 3. Binod Prasad Modi @ Binod Modi @ Vinod Modi @ Binu aged about 54 years, son of Prameshwar Modi @ Parmeshwar Modi.
(All residents of village – Sirsay, PO – Barotand, PS – Dhanwar, District – Giridih).
-**Petitioners**

Versus

The State of Jharkhand.**Opp. Party**

For the Petitioners	: Mr. Jitendra S. Singh, Advocate
	: Ms. Sanskriti Shalini, Advocate
For the Informant	: Mr. Shahid Yunus, Advocate
For the State	: Ms. Shashi Kr. Verma, Addl. P.P.

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

Order No:- 04, Dated:- 29th April, 2026

Heard the parties.

The petitioners have moved before this Court for grant of bail in connection with Dhanwar P.S. Case No. 353 of 2025 registered for the offences punishable under sections 103(1), 3(5), 191(2)(3), 190 of the B.N.S., 2023.

The learned counsel for the petitioners submits that the allegations against the petitioners are that the petitioners in furtherance of common intention with co-accused persons, committed murder of Kamlesh Singh.

Learned counsel for the petitioners by drawing attention of this Court towards Para Nos, 129, 136, 143, 179 of the Case Diary, in which the statements of the independent witnesses, namely, Sujit Modi, Baby Devi wife of Ram Ji Turi, Shaukat Ali and Ujjwal Kumar Aggarwal has been recorded, submits that they have categorically stated that the deceased was the aggressor party and the genesis of the occurrence is, the land dispute between the parties. It is next submitted that as per independent witnesses, it is the

deceased who brought out the pistol and attempted to fire upon Kishori Agarwal but the said pistol could not fire and after that he first attacked on Kishori Prasad Agarwal with a *Lathi*. It is submitted that there was free fight between the parties and the petitioner had no intention to kill anyone. It is next submitted that Kishori Prasad Agarwal also sustained injury and after regaining senses, he lodged Dhanwar P.S. Case No. 74 of 2026 in respect of the self-same occurrence. It is next submitted that the petitioners had no intention to kill anybody and the allegations against the petitioners, are all false. It is then submitted that the petitioner nos. 1, 2 and 3 have been in custody since 18.12.2025, 13.01.2028 and 27.12.2025, as has been mentioned in paragraph no. 16 of the bail application and charge-sheet has already been submitted. It is next submitted that the petitioner undertakes to cooperate with the trial of the case and further undertakes that he will not annoy or disturb the informant or the witnesses of the case in any manner during the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the abovenamed petitioner on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of *learned Judicial Magistrate - 1st Class, Giridih*, in connection with *Dhanwar P.S. Case No. 353 of 2025*, with the condition that the petitioner will cooperate with the trial of the case and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the trial of the case, with further condition that he will not annoy or disturb the informant or the witnesses of the case in any manner during the trial of the case.

(Anil Kumar Choudhary, J.)