

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 3667 of 2025

1. Kishun Vishwakarma, son of late Lato Mistri
 2. Suraj Vishwakarma, son of late Shankar Vishwakarma
- Both are residents of village Gumo Barwadih, Ward No. 20, P.O Gumo, P.S. Telaiya, District- Koderma, Jharkhand. Petitioner(s).
- Versus
1. The State of Jharkhand
 2. Kuldeep Verma son of Bahadur Verma, resident of Damobir Mohalla, Gumo, Ward No. 20, P.O and P.S. Jhumri Telaiya, Koderma. ... Opp. Party(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Sanjay Kr. Pandey, Advocate.

For the State : Mr. Saket Kumar, A.P.P.

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06/10.07.2025: Defect(s) as pointed out by the office, is ignored for the present.

2. Heard the parties.

3. This anticipatory bail application under Section(s) 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioners apprehending their arrest for offences registered under Sections 420 of the Indian Penal Code in connection with Complaint Case No. 2273 of 2023, pending in the Court of learned Chief Judicial Magistrate, Koderma.

4. During course of argument, it has been submitted by the learned counsel for the petitioner that this case arises out of complaint and after cognizance has been taken, the petitioner has approached this Court for grant of anticipatory bail on receipt of summons.

5. Learned A.P.P. opposes the prayer for anticipatory bail

6. Admittedly since the case arises out of a complaint and cognizance has already been taken thus this case will fall within the category-A of the situations categorized by the Hon'ble Supreme Court in the case of "**Satender Kumar Antil vs. Central Bureau of Investigation and Another**" reported in **(2021) 10 SCC 773**. As per the Hon'ble Supreme Court the following course of actions should be taken by the Court concerned in case of category-A offences:

"Category A

After filing of charge-sheet/complaint taking of cognizance

(a) Ordinary summons at the 1st instance/including permitting appearance through lawyer.

(b) If such an accused does not appear despite service of summons, then bailable warrant for physical appearance may be issued.

(c) NBW on failure to appear despite issuance of bailable warrant.

(d) NBW may be cancelled or converted into a bailable warrant/summons without insisting physical appearance of the accused, if such an application is moved on behalf of the accused

before execution of the NBW on an undertaking of the accused to appear physically on the next date/s of hearing.

(e) Bail applications of such accused on appearance may be decided without the accused being taken in physical custody or by granting interim bail till the bail application is decided.”

7. Considering the aforesaid judgment of the Hon’ble Supreme Court, the petitioner should appear before the court concerned and file necessary bonds subject to the satisfaction of the court concerned.

8. Accordingly, this Anticipatory Bail Application stands **disposed of**.