

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2681 of 2025

Mahavir Das, aged about 28 years, son of Havaladar Das, resident of Village- Bomuhani, P.O. & P.S.- Taljhari, District- Dumka.

... ... Petitioner

Versus

The State of Jharkhand.

... ... Opposite Party

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Niranjana Kumar, Advocate
For the State : Mr. Azeemuddin, APP

03/ 09.07.2025

Heard the parties.

2. This anticipatory bail application under Sections 482 & 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences under Sections 25(1B)(a)/26/35 of the Arms Act.

3. Learned A.P.P. representing the State opposes the prayer for anticipatory bail.

4. It is alleged that a murder had taken place in which Pintu Das, Rajendar Das and Arbind Das had murdered one Mohan Das in the Scorpio vehicle after pouring petrol. For the aforesaid occurrence, a separate case for murder was registered. It is alleged that the fire arms which was used in the said occurrence was recovered from the possession of Arbind Das. Arbind Das in his confessional statement stated that these fire arms were provided by the Lallan Das and Lallan Das stated that the same was provided by this petitioner. On this basis this, the petitioner has been made an accused.

5. During the course of arguments, the specific question was put to the I.O., as to whether, this petitioner is an accused in the murder case, as it is the case of the prosecution that the fire arms which is subject matter of this case and provided by this petitioner was used in commission of the murder of Mohan Das.

6. Learned Addl. P.P. submitted that after instruction from the I.O. submitted that this petitioner is not an accused as it was found that this petitioner was not even present at the place of

occurrence, rather he was at a Pune at that point of time.

7. Since, this petitioner is not an accused in the murder case, where these weapons were used to commit the murder of Mohan Das, thus, I am inclined to allow this application.

8. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioner, above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand), with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, 1st Class, Dumka in connection with Jarmundi P.S. Case No.66/2024, subject to the condition that one of the bailers should be a close relative of the petitioner and he should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which they are having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

(ANANDA SEN, J.)