

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2815 of 2025

Jaidur Sheikh @ Jaidul Sk @ Jaidur Shekh, son of Tajruddin Shekh, resident of village Dakshin, Sarafarajaganj, Gohalbari, P.O Phudkipur, P.S. Radhanagar, District Sahibganj. Petitioner(s).

Versus

The State of Jharkhand

... Opp. Party(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Raja Ravi Shekhar Singh, Advocate (through VC)
For the State : Ms. Anuradha Sahay, A.P.P.

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6/09.07.2025: This anticipatory bail application under Section(s) 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for the offences registered under Section(s) 80/3(5)/61(2) of the BNS, 2023.

2. Heard Mr. Raja Ravi Shekhar Singh, who appears through Video Conferencing, and the learned A.P.P at length and had gone through the documents, annexed along with this application.

3. The petitioner is the husband of the deceased. It is alleged that the deceased was found hanging in the house at night.

4. Learned counsel for the petitioner submits that though the death had occurred within after five years of the marriage, but on the fateful day, the petitioner was not even at the place of occurrence as he had gone out to earn his livelihood . This fact has been supported by the witnesses, whose statements have been recorded in paragraph 41 and 47 of the case diary. He further refers to Annexure-4, which is the flight ticket from Mumbai to Kolkata dated 9.10.2024 i.e. on the date of death of the deceased. He also produces the Check-in Pass, which is kept on record, which suggests that on the date of death, the petitioner was in Bombay and return on the very day after the receipt of the information about death of the deceased.

5. The counsel for the State opposes the prayer for bail and submits that the father of the deceased and other family members of the deceased stated that it is this petitioner and others who had taken the deceased to their house on the very next day, the deceased died.

6. After hearing the parties, I find that though the informant has stated that it is this petitioner and others, who had taken the deceased along with them on date before the incident had taken place, but the fact that the petitioner was not present in the house, which is evident from the statements of the witnesses, recorded in paragraph 41 and 47 of the case diary. Further, Annexure-4, which is the ticket and boarding pass of the flight, clearly suggests that the petitioner returned from Bombay to Kolkata on 9.10.2024 i.e. the day when the deceased died. Further, I find that there is no mark of injury on the body of the deceased and admittedly, the deceased died due to hanging.

7. Considering the aforesaid facts, I am inclined to **allow** this anticipatory bail application. Accordingly, the petitioner, above named, is directed to surrender before the court below within four weeks from today and in the event of his surrender/arrest, the court below is directed to enlarge him on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Rajmahal, in connection with Radhanagar P.S. Case No. 178 of 2024, subject to condition that one of the bailers should be close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his/her name or in the name of his/her ancestors in which he/she is having share and to that effect, he/she has to file an affidavit before the Trial Court indicating his/her share in the property.