

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2861 of 2025

1. Shankar Dangi, aged about 39 years, S/O Chando Dangi.
 2. Bipin Kumar, aged about 22 years, S/O Shankar Dangi.
 3. Chhotu Kumar @ Chhotelal Kumar, aged about 20 years, S/O Shankar Dangi.
- (All above petitioners resident of village Tapsa, PO – Pathalgada, PS – Simariya, District – Chatra, Jharkhand. **... Petitioners**

Versus

The State of Jharkhand

... .. Opposite Party

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Manish Yadav, Advocate
For the State : Ms. Shweta Singh, APP

04/ 11th July 2025

1. Heard the learned counsel for the parties.
2. This anticipatory bail application filed by the petitioners praying for grant of anticipatory bail in terms of under Section 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, as the petitioners have been allegedly implicated in connection with Simariya P.S. Case No. 41 of 2025 for the offences punishable under Sections 115 (2), 118 (1), 117 (2), 127 (1), 109, 3 (5) of the Bhartiya Nyaya Sanhita, pending in the court of learned Additional Chief Judicial Magistrate, Chatra.
3. The allegation against these petitioners is that they have assaulted the informant party.
4. Learned counsel for the petitioners submits that there is counter case also which has been lodged by these petitioners that too prior to the instant FIR. He further submits that there is no specific allegation against any of the accused persons.
5. Learned counsel for the State opposes the contention of the learned counsel for the petitioners and submits that there is an allegation of assault by stick upon the informant by petitioner no. 1, namely, Shankar Dangi. As a result

of which, the informant sustained fracture injury at the hand and the injuries are found to be grievous in nature.

6. After hearing the learned counsel for the parties and considering the nature of injuries *prima facie* at this stage of hearing anticipatory bail, I am of the opinion that Section 109 of the BNS is not attracted. So far as the other offences are concerned, except Section 118 (1), all are bailable in nature.
7. Petitioners are directed to appear before the concerned Court. On their appearance, individual overt act of each of the petitioners will be considered by the trial court and the trial court will come to a *prima facie* finding whether Section 118 (1) is applicable or not, so far as these petitioners individually is concerned, thereafter, will pass an appropriate order.
8. Accordingly, this anticipatory bail application of these petitioners is *disposed of*.

(ANANDA SEN, J.)

Aditi