

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3652 of 2025

Balmiki Kumar Singh, S/o Sri Satyendra Singh, R/o House No.210,
Bhojpur Colony Chas, P.O. & P.S. Chas, District Bokaro, Jharkhand.
... ... Petitioner

Versus

The State of Jharkhand. **... ... Opposite Party**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Baibhaw Gahlaut, Advocate
For the State : Mr. Shailendra Kumar Tiwari,
Spl.P.P.

04/ 11.07.2025

Heard the parties.

- 2.** This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the petitioner apprehending his arrest, for offence under Sections 318(4), 338, 336(3), 340(2), 308(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.
- 3.** Learned counsel representing the petitioner submits that the wife of the petitioner had purchased the land and the same has been mutated in the name of wife of the petitioner. He submits that since the informant was disturbing the possession of this petitioner, they had also filed title suit. Though the title suit was dismissed for default but they had filed an application for restoration of the same. He submits that the petitioner kept mortgaging the land which his wife had purchased by taking the loan. It is in fact the informant who are making construction over the land which the petitioner had purchased and has been mortgaged with the Bank and the Bank informed the petitioner about the same vide Annexure-5 of this Anticipatory Bail Application.
- 4.** Learned Spl. P.P. representing the State opposes the prayer for anticipatory bail and submits that the lands of the petitioner and the informant are adjoining. As per learned A.P.P., while taking loan, the petitioner had given wrong description of his land and as per the said description, it is clear that the land of the informant was shown to be the land of the petitioner and thereafter

it was mortgaged.

5. Considering the submission of the parties, I find that there is dispute in respect of demarcation and actual location of the land and since the petitioner has already filed a suit, though it was dismissed but as per the petitioner a restoration application has been filed, I am of the opinion that this is not a case which needs custodial investigation. Thus, I am inclined to allow this application.

6. 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 C.J.M. Bokaro, in connection with Chas P.S. Case No.38 of 2025, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property. The petitioner is directed to cooperate in the investigation and appear before the Investigating Officer once in every fifteen days, till conclusion of the investigation.

(ANANDA SEN, J.)