

(2026:JHHC:17307)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 5305 of 2026

Nitish Kumar @ Nitish Kushwaha @ Kela, aged about 23 years, son of Raju Mahto, resident of village - Noora, Mandai Road, PO - Hazaribag, PS - Sadar, District - Hazaribag, Jharkhand.

... ..**Petitioner**

Versus

The State of Jharkhand.

... ..**Opp. Party**

For the Petitioner	: Mr. Santosh Kr. Soni, Advocate
For the State	: Mr. Anup Kr. Dey, Addl. P.P.
	: Mr. Shashank Shekhar, Advocate
	: Mr. Shailesh Poddar, Advocate

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

Order No:- 02 Dated:- 16th June, 2026

Heard the parties.

The petitioner has moved this Court for grant of bail in connection with Lohsinghna P.S. Case No. 01 of 2026 registered for the offences punishable under sections 191(2)/ 191(3)/ 126(2)/ 115(2)/ 117(2)/118(2)/ 324(4)/324(6)/109(1)/103(1) of the B.N.S., 2023.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was member of an unlawful assembly and in prosecution of the common object of the assembly has committed the murder of Suraj Rana and also attempted to murder Kuldeep Soni and Niranjana Yadav. It is further submitted that the allegations against the petitioner are all false and the petitioner is not named in the FIR but subsequent to the statement recorded under Section 180 of B.N.S.S. of the injured Kuldeep Soni who stated that the petitioner was one of the assailants, who were armed with lathi, danda, baseball bat, sword and bhujali (a sharp cutting weapon). It is then submitted that the petitioner has been in custody since 23.04.2026, as has

been mentioned in paragraph no. 06 of the bail application. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. on the other hand vehemently opposes the prayer for bail and submits that since one of the victim namely Kuldeep Soni is an eyewitness to the occurrence and he has categorically stated that the petitioner along with co-accused persons being variously armed including sword and bhujali assaulted the deceased and the injured Kuldeep Soni and Niranjay Yadav, therefore, there is every chance of the petitioner absconding and tampering with evidence if released on bail. It is next submitted that the prayer for bail of the co-accused person, namely, *Rahul Kumar @ Lala @ Rahul Kumar @ Lola* in *B.A. No. 3273 of 2026* has already been rejected by this Court. Hence, it is submitted that the petitioner ought not to be admitted to bail.

Considering the direct allegation against the petitioner of committing murder of Suraj Rana and attempting to murder Kuldeep Soni and Niranjan Yadav in furtherance of common intention with the co-accused persons and the chance of his absconding and tampering with evidence, if released on bail, this Court is of the considered view that this is not a fit case where the abovenamed petitioner be admitted to bail.

Accordingly, the prayer for bail of the abovenamed petitioner is *rejected*.

(Anil Kumar Choudhary, J.)