

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5671 of 2025

Basant Mirdha, aged about 24 years, Son of Munna Mirdha,
Resident of Village-Kerokupi, P.O.-Bhadharia, P.S.-Rajabhitha,
District-Godda, Jharkhand. ... Petitioner

Versus

The State of Jharkhand ... Opp. party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Manoj Kr. Sah, Adv.

For the State : Mr. Nawin Kr. Singh, Addl. PP.

02 / 10.07.2025

Heard the parties.

The petitioner has been made accused in connection with Rajabhitha P. S. case no. 02 of 2025 instituted under Section 70 (1) of BNS, 2023.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused persons, committed gang rape upon the informant. It is submitted that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 13 of the bail application. It is next submitted that the petitioner has been in jail custody since 15.02.2025, as mentioned in para 14 of this bail application. It is next submitted by learned counsel for the petitioner that the petitioner is ready and willing to co-operate with the trial of the case, hence, the petitioner may be admitted on regular bail.

Learned Addl. P.P. appearing for the State vehemently opposes the prayer for bail and submits that keeping in view of the direct allegation against the petitioner of committing gang rape along with the co-

accused upon the informant, there is every chance of the petitioner absconding, if released on bail and also there is chance of the petitioner tampering with the evidence. It is therefore submitted that the petitioner ought not be released on bail at this stage.

Considering the serious nature of allegation against the petitioner and the chance of his tampering with the evidence and absconding, if released on bail, this Court is of the considered view that this is not a fit case where the above-named petitioner be released on bail. Accordingly, the prayer for bail of the above-named petitioner is rejected.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-