

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3389 of 2025

Ajay Sinha, son of late Dr. N.P. Sinha, resident of Sushila
Niwas, Hinoo Main Road, PO and PS Doranda, District Ranchi

... .. Petitioner(s)

Versus

The State of Jharkhand.

... .. Opposite Party(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. R. S. Mazumdar, Sr. Advocate.
Mr. Nishant Kr. Roy, Advocate
Mr. Apurv, Advocate

For the State : Mr. Sanjay Kr. Srivastava, A.P.P.

08/ 11.07.2025

Heard the parties.

2. This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences registered under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 and 30 of the Arms Act.

3. Learned senior counsel for the petitioner submits that it is the informant party who was trying to trespass in the factory. He submits that there was genuine dispute in respect of Directorship of the said factory and the dispute was initially before the NCLT, Kolkata and the petitioner is the Managing Director of the factory. It is the informant who tried to trespass and it is the guards who had fired to safeguard the property. He further submits that the petitioner was not present at the place of occurrence rather call details suggests the he was travelling to his residence. He lastly submits that at best the allegation against the petitioner is that he directed the guards to fire from their fire arm.

4. Learned senior counsel for the petitioner further submits that since the informant tried to trespass in the factory they had instituted a criminal case being Tupudana PS Case No. 17

of 2021. Though the same was filed subsequent to this occurrence.

5. Learned A.P.P. representing the State opposes the prayer for anticipatory bail and submits that though there was dispute between the Directors but now there is no proceeding pending before the NCLT, Kolkata. He submits that from call details report and from paragraph no. 96 it was found that the petitioner was moving from Tupudana i.e. place of occurrence towards Hinoo on that date and time when the occurrence took place. He further submits that there is allegation against the petitioner that he directed the guards to fire upon the informant. Learned APP lastly submits that in the case which has been filed by the petitioner against the informant chargesheet has already been filed.

6. After hearing the parties, I find that there is an allegation that the informants were trying to barge inside the factory premises when no one was there except the guards. The allegation is upon the direction of this petitioner the guard fired but the fact that the informant party were trying to barge inside the premises has found to be prima facie to be true as in the case which has been filed by the petitioner, chargesheet has already been filed against the informant. Admittedly, there is no injury caused and the petitioner himself has not fired. Further there are disputes amongst the petitioner and the informant in respect of Directorship of the factory. So far as criminal history, as submitted by the petitioner these are the cases which are inter-se among the parties.

7. Considering the aforesaid fact, this Court finds it a fit case for grant of anticipatory bail to the petitioner.

8. 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

CJM, Ranchi, in connection with Dhurwa (T) P.S. Case No.14 of 2021, 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/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.

9. Further the petitioner will appear before the Investigating Officer once in every 15 days till submission of chargesheet. He will give an undertaking that he will cooperate in the trial and will ensure framing of charge within a period of two months if chargesheet is filed and he will deposit his passport before the trial court at the time of filing bail bond.

(ANANDA SEN, J.)