

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 3639 of 2025

- 1. Chamtu Mahto @ Anant Kumar Mahato, son of Santosh Kumar Mahto
- 2. Bhishya Mahto @ Bishwanath Mahato.
- 3. Sonaram Mahto @ Sonaram Mahato.

All are resident of village Bodua, P.O. Jhalbarda, P.S. Chandankiyari, District-Bokaro. Petitioner(s).

Versus

The State of Jharkhand Opp. Party(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Ashim Kr. Sahani, Advocate.
For the State : Mr. S.K. Shukla, A.P.P.

02/10.07.2025: This anticipatory bail application under Section(s) 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioners apprehending their arrest for the offences registered under Section(s) 452, 323 and 101 of the Indian Penal Code, in connection with Chandankiyari P.S. Case No. 0205 of 2024, pending in the Court of learned Judicial Magistrate, 1st Class, Bokaro.

Heard the parties at length and had gone through the documents, annexed along with this application.

Opportunity was given to the State to oppose the bail, which the State availed and opposed.

The FIR is registered upon the complaint filed before the Magistrate, which was referred under Section 156(3) Cr.P.C.

Learned counsel for the petitioners submits that the FIR has not been registered under Section 302 IPC. Though the deceased died on 20.6.2024 and the complaint was filed on 1.10.2024, which suggests that there is no allegation that the petitioners have committed the murder of the deceased. He also submits that the petitioners had received notice under Section 41A Cr.P.C, as the offence is punishable for the period less than seven years and answering the said notice, the petitioners have appeared before the Investigating Officer and they are cooperating with the investigation.

From the statement of the counsel for the petitioners, I am of the opinion that since notice under Section 41A Cr.P.C has been issued to the petitioners, there cannot be apprehension of the petitioners being arrested. Further, as per the counsel for the petitioners, the petitioners have appeared before the Investigating Officer and they were not arrested, this also fortifies the fact that there is no apprehension of petitioners being arrested.

Since there is no apprehension of the petitioners being arrested, at this state, this anticipatory bail application stands **disposed of**, as the same is premature.