

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 4234 of 2026

Bajjnath Singh, son of Chatur Dayal Singh, age about 34 years, resident of village Dumariya Tand, District-Giridih, P.O. and P.S.-Dumri, District-Giridih, Jharkhand

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :Mr. Abhishek Singh, Advocate

For the State : Mr. Vishwanath Roy, Spl.P.P.

02/ 16.09.2026: Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is apprehending his arrest in connection with Bishnugarh P.S. Case No. 140 of 2023, registered under sections 302, 201 and 34 of I.P.C, pending in the Court of learned Judicial Magistrate, Ist Class, Hazaribag.

3. Learned counsel for the petitioner submits that the petitioner was not present on the spot at the alleged time of incident rather the petitioner was attending his official duty and he was present in the office. He next submits that there is no independence witness to the occurrence. He next submits that wife and husband have quarreled due to which the deceased has committed suicide. He next submits that father-in-law and brother-in-law of the deceased have faced the trial in Sessions Trial No. 13 of 2024 and they have been acquitted by the learned Sessions Judge. On these grounds, he submits that the petitioner may kindly be provided privilege of anticipatory bail.

4. Learned counsel for the State opposes the prayer and submits that acquittal of another accused is not a ground of anticipatory bail. He next submits that petitioner is not cooperating in the investigation and he is

absconding. He next submits that petitioner is the main culprit who instigated the deceased to commit suicide and due to act of this petitioner the deceased has committed suicide. He next submits that deceased was murdered by this petitioner and wife of the deceased and they have given colour of suicide by way of hanging the deceased in a room. He further submits that initial an U.D case was lodged which was subsequently converted into F.I.R and wife of the deceased has also been made accused in the present case. On these grounds, he submits that the anticipatory bail of the petitioner may kindly be rejected.

5. In reply, learned counsel for the petitioner submits that the argument of learned counsel for the State with regard to non cooperation of the petitioner is not correct.

6. Admittedly, initially U.D case was registered which was subsequently converted into F.I.R. The allegation against the petitioner is there that this petitioner was having illicit relationship with the wife of deceased and this petitioner along with wife of the deceased have committed murder of the deceased and they have given colour of suicide by way of hanging the deceased in a room.

7. So far acquittal of another accused by the learned court does not ipso facto entitle him to the relief of anticipatory bail on the ground of parity, particularly when the accused himself failed to cooperate with the Court and delayed the trial of the other co-accused by absconding. Moreover, the accusations against the accused have not been tried yet and are required to be independently examined and decided in the course of a separate trial. Reference may be made to the case of **Balmukund Singh Gautam Vs. State of Madhya Pradesh and others 2026 SCC Online SC 205.**

8. In the attending facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of anticipatory bail is hereby rejected.

Dt.16.09.2026

satyarthi-

(Sanjay Kumar Dwivedi, J.)