

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4076 of 2025

Tarkesh Kumar @ Tarkeshwar Kumar, Son of D. Prakash Rao, aged about 25 years, resident of Road No. 6, Ramjanam Nagar, Kadma, P.O. – Kadma, P.S. – Kadma, Dist. East Singhbhum (Jharkhand).
..... Petitioner

Versus

The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Gautam Kumar, Advocate.
For the State : Mr. Subodh Kumar Dubey, A.P.P.

Order No. 05/Dated: 18th September, 2025

1. Heard learned counsel for the parties.
2. Apprehending his arrest in connection with Kadma P.S. Case No. 77/2022 (G.R. No. 1727/2022) instituted under Sections 394/411 of the I.P.C., the petitioner has moved to this Court for grant of privilege of anticipatory bail.
3. Learned counsel for the petitioner has submitted that this is second anticipatory bail application of the petitioner. Earlier the anticipatory bail application filed by the petitioner was rejected on merits by this Court vide order dated 20.04.2023. The fresh and new ground pleaded by the learned counsel for the petitioner is one of the criminal antecedents of the petitioner for the offence under the POCSO Act has been resulted in acquittal of the petitioner.
4. It is further submitted that the name of the petitioner surfaced in this case on the basis of confessional statement of co-accused namely, Barun Kumar @ Varun Gounder, who has faced the trial after submission of charge sheet and acquitted. Therefore, petitioner deserves the privilege of anticipatory bail.

5. Learned Addl.P.P appearing for the State has opposed the prayer for anticipatory bail of the petitioner and has submitted that both the grounds cannot be considered as new and fresh ground for entertaining this second anticipatory bail application of the petitioner. Investigation is still going on against the petitioner and the petitioner, instead of co-operating in investigation, is evading his arrest since two years for serious offence of robbery. Therefore, this application is fit to be dismissed.

6. Considering the aforesaid facts and circumstances of the case, nature of allegation and the grounds raised, as fresh and new ground, does not appear to be sufficient to entertain this second anticipatory bail application.

7. Accordingly, the present anticipatory bail application stands dismissed.

(Pradeep Kumar Srivastava, J.)

Sunil/