

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5141 of 2025

Amit Kumar Mahato, aged about 33 years, Son of
Jagan Mahato @ Ambika Mahato, resident of
Village-Kalipur, P.O. Gharbar, P.S.-Baliapur, District-
Dhanbad.

..... ... Petitioner

Versus

The State of Jharkhand.

..... ... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Sanjay Kumar Dubey, Advocate.

For the State : Mr. Rakesh Ranjan, A.P.P.

04/ 15.09.2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner is apprehending his arrest in connection with
Baliapur P.S. Case No. 32 of 2025, registered for the offences under
Sections 303(2), 317(2) and 3/5 of Bharatiya Nyaya Sanhita, 2023,
pending in the court of learned Judicial Magistrate, Dhanbad.

3. Learned counsel appearing for the petitioner submits that
there is no specific allegation against the petitioner and only on the
basis of confessional statement, the name of the petitioner has come
and further petitioner is having no criminal antecedent and disclosure
to that effect has been made in para-10 of the petition. He submits that
the petitioner has received a notice under Section 35(3) of Bharatiya
Nagarik Suraksha Sanhita, 2023 and he has replied to the said notice.

4. Learned A.P.P. appearing for the State has opposed the
prayer and submits that in light of the Hon'ble Supreme court in the
case of *Satender Kumar Antil Versus Central Bureau of Investigation
& Anr.*, reported in (2022) 10 SCC 51, the petitioner may surrender
before the learned court.

5. In view of the above facts and further considering the submission of learned counsel appearing for the petitioner, the petitioner, above named, is directed to surrender before the learned Court within two weeks from today and the learned Court shall release the petitioner on the appropriate terms and conditions or on sureties as may deem fit and proper by the learned Court.

(Sanjay Kumar Dwivedi, J.)

Dated:-15.09.2025
Amitesh/-