

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.5089 of 2025

Inder Kumar Jha @ Indra Kumar Jha, aged about 42 years, son of Dev Chandra Jha, resident of Sarvodaya Colony, P.O.- Hazaribagh, P.S.-Sadar District :Hazaribagh Petitioner

Versus

The State of Jharkhand ... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

 For the Petitioner : Mr. Manoj Kr. Choubey, Advocate
 For the State : Mr. Santosh Kr. Shukla, A.P.P.

2/14.10.2025 Heard learned counsel appearing on behalf of Petitioner and learned counsel appearing on behalf of the State.

2. The petitioner is apprehending his arrest for the alleged offences registered under Sections 406, 419, 420, 467, 468, 471 of IPC, pending in the Court of learned Judicial Magistrate, 1st Class, Hazaribagh, in connection with Katkamdag P.S. Case No.39 of 2023.

3. Learned counsel appearing for the petitioner submits that the petitioner has earlier moved ABA No.5235 of 2023, which was dismissed as withdrawn. He further submits that in the changed circumstance, the second anticipatory bail petition has been filed before the learned Sessions Judge, Hazaribagh, which has been rejected. He then submits for the allegation made in the FIR, the petitioner was also departmentally proceeded and pursuant to the departmental proceeding, the petitioner was dismissed from service. He further submits that the service appeal was preferred before the Divisional Commissioner, Hazaribagh and the Divisional Commissioner has been pleased to set-aside the termination order and the petitioner has been reinstated now and he is working in the

office of Circle Officer.

4. Learned counsel for the State opposed the prayer and submits that the petitioner has earlier moved anticipatory bail petition before this Court and the same has been dismissed as withdrawn.

5. There is no doubt that on the same set of facts, second anticipatory bail is not maintainable, however in the changed circumstance, the second anticipatory bail petition can be entertained and Annexure-3 is the order dated 09.06.2025 passed by the Divisional Commissioner, North Chotanagpur, Hazaribagh, whereby he has been pleased to set-aside the dismissal order of the petitioner for the said charge and directed to reinstate the petitioner. Petitioner has been reinstated in view of the said order. It can be safely said that the changed circumstance is there. There is no doubt, parameters of criminal proceeding and departmental proceeding are different. However in the facts and circumstances of present case and considering that the petitioner is reinstated pursuant to dismissal of said charge by none other than Divisional Commissioner, North Chotanagpur, Hazaribagh, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner above named is directed to surrender before the learned Court within three weeks from the date of receipt of the order and on the event of his surrender / arrest, he shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty-Five Thousand) with two sureties of the like amount of each to the satisfaction of learned Judicial Magistrate, 1st Class,

Hazaribagh, in connection with Katkamdag P.S. Case No.39 of 2023, subject to the condition as laid down under Section 482(2) of Bhartiya Nagarik Suraksha Sanhita, 2023.

7. This Anticipatory Bail Application is accordingly allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

14.10.2025
R.Kumar