

IN THE HIGH COURT OF JHARKHAND, RANCHI

A.B.A. No. 5181 of 2025

Haren Sah, aged about 46 years, son of Madhusudan Sah, resident of
Village Jamnagar, Post Office -Jamnagar, Police Station -Rajmahal,
District -Sahibganj Petitioner

-- Versus --

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Raja Ravi Shekhar Singh, Advocate
For the State :- Mr. Rajesh Kumar, Advocate

3/14.10.2025 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Rajmahal PS Case No.173 of 2021, for offence registered under section 147, 149, 341, 342, 323, 302, 427, 504 and 506 IPC, pending in court of learned Sub Divisional Judicial Magistrate, Rajmahal.

3. Learned counsel for petitioner submits that the name of the petitioner and his parentage is not correct in the FIR and the petitioner was never hunted by the police but since some time the investigating officer has been regularly raiding the house of the petitioner for his arrest hence the petitioner has reasonable apprehension of his arrest. He further submits that the allegation is of the year 2021 and name of the petitioner in the FIR is disclosed as Horni Sah and parentage is not disclosed however petitioner's name is Haren Sah son of Madhusudan Sah. He then submits that on the same day Junior Engineer posted at Raj Mahal Block has lodged the FIR in which he has stated that the deceased died due to accident and he refers to the contents of the FIR being Raj Mahal PS Case No.174 of 2021. He next submits that on the same day 3rd FIR was lodged by the daughter of Bharat Sah with whom altercation took place between the deceased and Bharat Sah. He then submits that the petitioner has been falsely implicated in this

case, however, the petitioner has nothing to do with the said allegation and the petitioner has got no criminal antecedent as disclosed in paragraph no.14 of the petition.

4. Learned State counsel opposes prayer and submits that at paragraph no.121, on verification, it has been found that the petitioner Haren Sah is Horni Sah.

5. Looking to the contents of the Rajmahal PS Case No.174 of 2021, which was lodged on the same day by the Junior Engineer, it transpires that the deceased was driving motorcycle in drunken position and he has hitted Bharat Sah accidentally and pursuant to that the altercation took place and he has died. However, the story of the present case in which the petitioner is seeking anticipatory bail, is otherwise. The wife of the deceased has stated that the petitioner along with the others have assaulted and thrown the body in a pond and when he was trying to come out, one Anju Devi has further hitted and pursuant to that, the deceased has died. There are contrary FIR for the same incident and even the 3rd FIR has been lodged by the daughter of Bharat Sah, I am inclined to grant anticipatory bail to petitioner.

6. Accordingly, petitioner, above named, is hereby directed to surrender before learned court within three weeks from today, and in event of his surrender/arrest, petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned Sub Divisional Judicial Magistrate, Rajmahal, in connection with Rajmahal PS Case No.173 of 2021, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.

(Sanjay Kumar Dwivedi, J.)

14.10.2025
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