

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.7960 of 2026

Markus Sanga, aged about 26 years, S/O Phuljems Sanga, @
Fuljens Sanga, R/O Village- Munda Chalagi, P.O.- Gutjora, P.S.-
Khunti, Dist- Khunti.

.... Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Ms. Nivedita Kundu, Advocate

For the State : Mr. Vijoy Kumar Sinha, Addl.P.P.

Order No:-03 Dated:-09-09-2026

Heard the parties.

The petitioner has been made accused in connection with Khunti
P.S. Case No. 03 of 2026 registered for the offences punishable under
Sections 103(1), 61(1), 3(5) of the B.N.S., 2023 and Sections 25(1-b)a, 26,
27, 35 of the Arms Act.

Learned counsel for the petitioner submits that the allegation
against the petitioner is that the petitioner in furtherance of common
intention with the co-accused persons and under criminal conspiracy
with them, has committed murder of Soma Munda. It is next
submitted that though the petitioner is not named in the F.I.R., yet he
has been implicated in this case on the basis of the confessional
statement of the co-accused and further the petitioner has been
identified as the person who brought the shooter in his pillion of his
motorcycle to the place of occurrence. It is further submitted that
though the petitioner has been arrested on 28.01.2026 as mentioned in
para 17, but the T.I. parade was conducted on 24.03.2026 little less than
two months after arrest of the petitioner. Learned counsel for the
petitioner by relying upon the order of the Hon'ble Supreme Court of
India in the case of *Satrughana @ Satrughana Parida & Others versus
State of Orissa* reported in *1995 Supp (4) SCC 448*, submits that in the
facts of that case which was an appeal against conviction, the Hon'ble

Supreme Court of India allowed the appeal as in the facts of the case, the prosecution failed to place on record the reason why it was not possible for it hold the test identification parade promptly *i.e.*, soon after arrest and submits that in this case, since a little less than 02 months has been elapsed before the test identification parade after the petitioner was arrested; so, the test identification parade creates a doubt. It is also submitted that the petitioner has no criminal antecedents as mentioned in para-14. It is next submitted by the learned counsel for the petitioner that there is neither any previous enmity nor any motive of the petitioner to get involved in this case. It is further submitted that the petitioner has been in custody since 28.01.2026 as mentioned in para-17 of the instant bail application. It is lastly submitted that the petitioner undertakes to co-operate with the trial of the case and also undertakes not to annoy or disturb the witnesses of the case in any manner during the trial of the case. Hence, it is submitted that the petitioner be released on bail.

Learned counsel appearing for the State opposes the prayer for bail of the petitioner and submits that there was genuine and convincing reason for the delay in holding the T.I. Parade and the reasons for same will be placed on record during the trial of the case. It is submitted that the delay in holding the test identification Parade has been explained in the case diary and in view of the direct allegation against the petitioners of being involved in commission of murder of Soma Munda by bringing the shooter in the pillion of his motorcycle and the petitioner has been identified in the T.I. Parade; hence there is every chance of the petitioner absconding and tampering with evidence. So far as the enmity and motive of the petitioner is concerned, it is submitted that since the deceased was a social worker and was Raja of Adal Sanga Pada and he used to raise voice for Adivasi land and rights, so the petitioner being an agent of land Mafia has committed the offence of murder of the deceased and this is the sufficient reason for the motive of the petitioner to commit the crime and there is every chance of the petitioner absconding and tampering

with the evidence, if released on bail. Hence, it is submitted that the petitioner ought not to be released on bail.

Considering the serious nature of allegation against the petitioner of being involved in commission of murder of Soma Munda and he has been identified in the T.I. Parade by the informant that he was the person who brought the shooter in pillion of his motorcycle to the place of occurrence and this being the stage of bail the reasons for the identification parade having not been conducted soon after the arrest of the petitioner will be unfolded during the trial of the case; in view the chance of the petitioner absconding and tampering with the evidence, if released on bail, this Court is not inclined to admit the above-named petitioner on bail at this stage.

Accordingly, the prayer for bail of the above-named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Dated:- 09.09.2026
Amar/