

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5509 of 2025

1.Kubraj Kisku, aged about 55 years son of late Madan Kisku
2.Baha Murmu, aged about 30 years, wife of Kubraj Kisku, All
resident of Village Govindpur, PO Maheshpur, P.S. Maheshpur, District
Pakur, Jharkhand Petitioners

-- Versus --

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :- Mr. Anjani Kumar, Advocate
For the State :- Mr. S.K.Mahto, Advocate

4/18.09.2025 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Maheshpur P.S. Case No.84 of 2025, for offence registered under section 126(2), 115(2), 303(2), 352, 351(2), 3(5) of BNS, 2023 and Sections 3/ 4 of Prevention of Witch (Dain) Practices Act, pending in court of learned Chief Judicial Magistrate at Pakur.
3. Learned counsel for petitioners submits that the petitioner no.1 is husband and petitioner no.2 is wife of the petitioner no.1 and entire family members have been implicated in this case. He further submits that the altercation took place as the petitioners have refused to attend the Panchayati. He next submits that there is no specific allegation of any overt-act so far as these petitioners are concerned and allegations of assault is there against one Gajan Kisku and there is no injury.
4. Learned State counsel opposes prayer and submits that allegation of assault is there.
5. Looking to the contents of the FIR, it transpires that allegation of assault is there against one Gajan Kisku and even injury is not there and the petitioners are husband and wife respectively, I am inclined to grant anticipatory bail to petitioners.
6. Accordingly, petitioners, above named, are hereby directed to surrender before learned court within three weeks from today, and in event of their surrender/arrest, petitioners, 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 Chief Judicial Magistrate at Pakur, in connection with Maheshpur P.S. Case No.84 of 2025, subject to conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita ,2023.

(Sanjay Kumar Dwivedi, J.)