

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5329 of 2025

1.Rajdeo Oraon, aged about 43 years, son of Shankar Oraon, resident of Village-Carbandh, PO-Garbandh, PS-Utari, District-Garhwa, Jharkhand

2.Kanhai Ram, aged about 46 years, son of Prasad Ram, resident of Village-Mahuganwa, PO-Mahuganwa, PS-Pandu, District-Palamau, Jharkhand
.... Petitioners

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners

:- Mr. Saurabh Shekhar, Advocate

For the State

:- Mr. Sanjay Kr. Shrivastava, Advocate

2/13.11.2025 Heard learned counsels for petitioners and for State and the learned counsel appearing on behalf of the father of the deceased.

2. The petitioners are apprehending their arrest in connection with Golmuri P.S.Case No.162 of 2024, for offence registered under section 302/34 of the IPC, pending in court of learned Judicial Magistrate First Class, Jamshedpur.

3. Learned counsel for petitioners submits that the petitioners happened to be constables of Jharkhand Police. He further submits that one U.D. Case No.14 of 2023 dated 01.11.2023 was registered for death of one Johan Singh who was found injured and that U.D. case was registered on application made by maternal uncle of the deceased. He submits that in the said U.D. Case, the investigating officer has stated that the deceased constable namely Johan Singh was found injured on terrace of police barrack and with the help of other constables, he was taken to M.G.M. Hospital for treatment. He then submits that on the application made by the father of the deceased, the FIR being Golmuri P.S. Case No.162 of 2024 has

been registered on 01.12.2024 after delay of 13 months and on the self-statement of the Inspector cum-Officer- In charge, Golmuri, Bansh Narayan Singh, the same was registered. He submits that thereafter the investigation has been started and one Sandeep Ram who is also a constable, has been given clean chit and the investigation against these petitioners have been kept open. He then submits that the motive, if any, is there, is against the said Sandeep Ram and said Sandeep Ram has been given clean chit and to buttress his such argument, he draws attention of the Court to the contents of the FIR and submits that there is direct allegation against Sandeep Ram of having relationship with the wife of the deceased and Sandeep Ram has also given loan of Rs.20,000/- to the deceased. In this background, he submits that the petitioners are having case of anticipatory bail and as such, anticipatory bail may kindly be granted.

4. Learned State counsel opposes the prayer and submits that the witnesses have supported the case of prosecution in paragraph nos.63, 79 and 80 of the case-diary. He then submits that in view of that, the anticipatory bail may kindly be rejected.

5. Mr. Avinay Kumar, the learned counsel submits that he has been authorized to appear on behalf of the father of the deceased and he has to file the Vakalatnama. However, he further submits that father of the deceased has filed one Criminal Writ Petition for fair investigation which is still pending before the Co-ordinate Bench of this Court. He next submits that the investigation in the present case has not been done in accordance with law and as such, anticipatory bail to the petitioners may kindly be

rejected.

5. Looking to the contents of the FIR, it transpires that there is direct allegation against Sandeep Ram of having relationship with the wife of the deceased and he has also given a sum of Rs.20,000/- to the deceased. The prima-facie motive, if any, is there, that is against Sandeep Ram and said Sandeep Ram has been given clean chit and the petitioners are also happened to be constables of Jharkhand Police and the allegations are there against the petitioners that they were also accomplice of Sandeep Ram. In the inquest report, it has come that the injury has been received on head and injury is sustained due to hard substance and the injury is also corroborated with the report of the doctor and that has come in paragraph no.49 of the case-diary, and in the attending facts and circumstances of the present case, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, both the petitioners, above named, are hereby directed to surrender before learned court within three weeks from today, and in event of their surrender/arrest, both the petitioners, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties of like amount each, to satisfaction of learned Judicial Magistrate First Class, Jamshedpur, in connection with Golmuri P.S.Case No.162 of 2024, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.

(Sanjay Kumar Dwivedi, J.)

13.11.2025
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