

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 5532 of 2025

1. Bernard Murmu, aged 25 years, son of Emmanuel Murmu
2. Francis Murmu, aged 22 years, son of Emmanuel Murmu,
Both are residents of village-Bada Gundro, P.O. and P.S. Ramgarh,
District-Dumka, Jharkhand Petitioners

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :Mr. Shailesh Kumar Singh, Advocate

For the State : Mr. Jitendra Pandey, A.P.P.

02/ 18.09.2025: Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Ramgarh P.S. Case No. 12/2024, registered under section 376 D of the I.P.C, pending in the Court of learned Judicial Magistrate, Ist Class, Dumka.

3. Learned counsel for the petitioners submits that false allegation of rape is made against the petitioners. He further submits that one of the co-accused namely Arnet Murmu has faced the trial in Sessions Trial No. 93 of 2024 in which he has been acquitted. He then submits that in the said Sessions Trial the informant has stated that F.I.R. was written by the police and she was unknown what has been written in the F.I.R. and at the request of the police she has signed the said document. The informant has also stated in evidence that no such occurrence has taken place. She also stated that accused persons were taking liquor and quarrel has taken place in view of that the informant went to the police station and police took signature and she was not knowing the contents. On these grounds, he submits that the petitioners may kindly be provided privilege of anticipatory bail.

4. Learned counsel for the State opposes the prayer however he is not disputing the fact that informant has turned hostile in the aforesaid Sessions Trial.

5. Looking into the contents of deposition of the informant in S.T. No. 93/2024 the Court finds that what has been argued by the learned counsel for the petitioner, in the same line the said statement is written and one of the co-accused has been acquitted.

6. In the attending facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the above named, petitioners are directed to surrender before the learned court within three weeks from today and in the event of their surrender / arrest, the petitioners shall be released on bail, on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, Ist Class, Dumka, in connection with Ramgarh P.S. Case No. 12/2024, subject to conditions as laid down under Section 482 (2) of B.N.S.S, 2023.

Dt.18.09.2025

(Sanjay Kumar Dwivedi, J.)

satyarthi-