

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.5486 of 2025

1. Bihari Thakur aged about 47 years, S/o Late Sukdev Thakur
 2. Ankush Thakur @ Ankush Kumar aged about 21 years, S/o Bihari Thakur,
 3. Nikesh Thakur aged about 19 years, S/o Bihari Thakur.
 4. Prince Thakur @ Prince Kumar, aged about 18 years, S/o Bihari Thakur,
- all four are Residents of Village Baswara, P.O.+P.S. – Mahagama, District - Godda
5. Santosh Thakur @ Santosh Kumar, aged about 31 years, S/o Surendra Thakur, Resident of Village Amjora, P. O.+P.S. Mahagama, District-Godda
- Petitioners

Versus

The State of Jharkhand ... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

 For the Petitioners : Mr. S.P. Roy, Advocate
 For the State : Mr. Shashi Kumar Verma, A.P.P.

2/18.09.2025 Heard learned counsel appearing on behalf of Petitioners and learned counsel appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with Mahagama P.S. Case No. 127/2025, registered for the offences under Sections 115(2), 126(2), 127(2), 190, 191(2), 191(3), 109/303(2) of BNS and under Sections 3/4 of Daain (witch) Craft Practices Act, 2001, pending in the court of learned Judicial Magistrate, 1st Class, Godda.

3. Learned counsel appearing for the petitioners submits that there are allegations of assault against the petitioners and both the parties are family members. He further submits that the injury has been received. He then submits that the petitioner No.5 is having one criminal antecedent. He next submits that from the impugned order, it is not clear that what is the nature of the injury.

4. Learned counsel appearing for the State opposed the prayer and submits that there is direct allegation of assault and in view of that, the anticipatory bail may kindly be rejected.

5. From the contents of the FIR, it transpires that there is direct allegation against petitioner No.2 Ankush Thakur of assault and there is criminal antecedent against the petitioner No.5. In view of that, I am not inclined to grant anticipatory bail to Petitioners No.2 and 5

6. As such, the anticipatory bail of Petitioners No.2 and 5 above named is hereby rejected.

7. So far as Petitioners No. 1, 3 and 4 are concerned, they have no criminal antecedents and there are general and omnibus allegations against them, I am inclined to grant anticipatory bail to them.

8. Accordingly, the petitioners No.1,3 and 4 above named are directed to surrender before the learned Court within three weeks from the date of receipt of the order and on the event of their surrender / arrest, they shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty-Five Thousand) each with two sureties of the like amount of each to the satisfaction of learned Judicial Magistrate, 1st Class, Godda, in connection with Mahagama P.S. Case No. 127/2025, subject to the condition as laid down under Section 482(2) of Bhartiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

18.09.2025
R.Kumar