

(2026:JHHC:27978)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.8620 of 2026

Pawan Kumar, aged about 22 years, S/o Sadhu Yadav, Resident of village-Manka, P.O.-Bhanail, P.S.-Akbarpur, District-Nawada, State-Bihar.

.... Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Rakesh Kr. Gupta, Advocate
	: Mr. Abhinav Prakash, Advocate
For the State	: Mr. Vijoy Kr. Sinha, Addl.P.P

Order No.02 Dated- 16-09-2026

Heard the parties.

The petitioner has moved this Court for grant of bail in connection with Koderma P.S. Case No.19 of 2025 registered for the offences punishable under sections 281, 105, 125(b) & 3(5) of the B.N.S., 2023.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has been setup by the co-accused person namely Chandan Kumar Gupta to represent himself to be the driver of the 06-wheeler vehicle which intentionally ran over the deceased Lakshit Kumar and attempted to murder his father Alok Kumar Sinha who was riding the motorcycle. It is further submitted that the allegations against the petitioner are all false. It is next submitted that the co-accused Chandan Kumar Gupta filed anticipatory bail application no.2608 of 2025 in this Court claiming to be the driver of the vehicle at the time of the alleged accident, but the anticipatory bail application was withdrawn and then he has setup this petitioner, by getting the statement of the owner of the vehicle recorded by police to the effect that the petitioner was the driver of the said vehicle; though it is the contention the owner of the vehicle that he was not involved in the running of this

vehicle condition, as the same in the custody of Chandan Kumar Gupta, who is a transporter. It is then submitted that the petitioner has been in custody since 27.07.2026, as has been mentioned in paragraph no.11 of the bail application. It is also submitted that the petitioner has no criminal antecedent as has been mentioned in para-10 of this bail application. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case and further undertakes that he will not 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 admitted to bail.

Learned Addl. P.P. appearing for the State on the other hand vehemently opposes the prayer for bail and submits that keeping in view the direct allegation of serious nature against the petitioner, there is every chance of the petitioner absconding and tampering with evidence, if released on bail, hence, it is submitted that the petitioner ought not be released on bail.

Having heard the submissions made at the bar and after carefully going through the materials available in the record, it is crystal clear that the co-accused Chandan Kumar Gupta claiming himself to be the driver filed anticipatory bail and as his anticipatory bail was dismissed as withdrawn on 09.05.2025 as submitted by the learned counsel for the petitioner; thereafter, on 27.02.2026, the petitioner was setup as a driver of the vehicle by recording the statement of the owner of the vehicle namely Sanjeet Kumar Rai by the police under section 180 of the BNSS, 2023, though in his statement the said Sanjeet Kumar Rai has stated that he was not involved in running of the vehicle, as he has given the vehicle to Chandan Kumar Gupta, who is a transporter and the petitioner thus has been projected as the driver of the vehicle and the investigation of the case is still going on.

Considering the conduct of the stakeholders of this case and the serious nature of allegation against the driver of the vehicle of intentionally driving the vehicle over the deceased 7 and half years old boy as well as the chance of the petitioner absconding and tampering with evidence, if released on bail, this Court is not inclined to admit the petitioner on bail at this stage.

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

(Anil Kumar Choudhary, J.)

16/09/2026
Abhiraj/