

**IN THE HIGH COURT OF JHARKHAND AT RANCHI****B.A. No. 9288 of 2025**

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Sajan Kumar @ Sajan Sah @ Sajan Kumar Sah, aged about 25, years, son of Om Prakash Gupta @ Uma Lal, resident of Village Jaruwadih, P.O. Dumka, P.S. Dumka (Town), District Dumka (Jharkhand).

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**Petitioner****Versus**

The State of Jharkhand

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**Opposite Party**

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**CORAM : SRI ANANDA SEN, J.**

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**For the Petitioner :** Mr. Rishav Kumar, Advocate**For the State :** Mr. Sanat Kumar Jha, A.P.P.

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**03/26.03.2026**

By way of this bail application filed under Sections 483 & 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 petitioner has prayed for grant of bail as he is in custody for allegedly committing offence punishable under Sections 302, 201, 120(B) and 34 of the Indian Penal Code, 1860 (later on, vide order dated 04.07.2023, charge has been framed under Sections 376D, 302/34, 201/34 and 120(B) of the Indian Penal Code, 1860) in connection with Dumka (Mufassil) Police Station Case No.204 of 2021 (G.R. No.99 of 2022) corresponding to Sessions Trial No.289 of 2022; pending in the Court of the Additional Sessions Judge-II, Dumka.

2. Learned counsel for the petitioner and the learned A.P.P. appearing for the State had argued their respective cases at length.

3. The allegation is that the informant's niece left home, married Vikash Kumar Kewat, and was later found murdered on 18.10.2021. It was suspected that her husband and others conspired to commit rape and murder.

4. The petitioner was initially granted bail on 23.08.2022 by a Coordinate Bench, which was later set aside by the Hon'ble Supreme Court on 11.07.2023, directing fresh consideration. Thereafter the petitioner was taken in custody on 20.09.2023 and has been in judicial custody since 21.09.2023. Subsequent bail applications of the petitioner have been rejected by this Court as also by the Trial Court, including the latest rejection by the Trial Court by order dated 29.08.2025.

5. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case solely on the basis of confessional statement of a co-accused, which has no evidentiary value. He further submitted that the DNA report does not connect the petitioner with the alleged offence, unlike other co-accused persons. The alleged handwritten note of the victim, was not sent for forensic examination, creating doubt in the prosecution case. He also submitted that no prosecution witnesses were examined resulting in delaying the trial and prolonged incarceration.

6. Learned counsel for the State vehemently opposed the prayer for bail of the petitioner.

7. I have gone through the impugned order passed by the Trial Court, the case diary as also the records of the case.

8. I find that earlier the prayer for bail of the petitioner was allowed by a Coordinate Bench of this Court in B.A. No.7408 of 2022 by an order dated 23.08.2022, whereafter a Special Leave Petition being S.L.P.(Crl.) No.6255 of 2023 was preferred before the Hon'ble Supreme Court, wherein by order dated 11.07.2023, the Hon'ble Supreme Court had been pleased to set aside the order dated 23.08.2022 and directed the petitioner to surrender within two weeks and it was observed that the bail application be considered by the High Court only after the petitioner has surrendered. Thereafter the prayer for bail of the petitioner was rejected by this Court twice, i.e., on 03.11.2023 and 11.11.2024.

9. It has come in course of investigation as is apparent from the Case Diary that a letter addressed to the Superintendent of Police by the deceased was found from the dead body of the deceased wherein the deceased has disclosed the names of persons who had committed rape upon her, which also contained the name of this petitioner as one of the perpetrator of the crime. Further, the plea of the counsel for the petitioner questioning the letter cannot be adjudicated at this stage. The fact remains that the deceased had written a letter informing about the rape. At paragraph 144 of the Case Diary it has also come that the signature of the deceased was also identified by the family members. Further from the impugned order it appears that the case is at the stage of prosecution evidence and prosecution witnesses are yet to be examined.

7. Considering the aforesaid, I am not inclined to grant bail to the petitioner. Prayer for bail of the petitioner in connection with Dumka (Mufassil) Police Station Case No.204 of 2021 (G.R. No.99 of 2022) corresponding to

Sessions Trial No.289 of 2022; pending in the Court of the Additional Sessions Judge-II, Dumka is hereby rejected.

8. This bail application is, accordingly, dismissed.

(Ananda Sen, J.)

**Ranchi**

**Dated 26<sup>th</sup> March, 2026**

Kumar/Cp-03

Uploaded on 26.03.2026