IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5132 of 2026

Dipak Kumar Saw, aged about 38 years, son of Jawahar Saw, resident of near Jagannath Mandir, Anugrah Nagar, PO and PS – Dhansar, District – Dhanbad, Jharkhand **.... Petitioner**

-- Versus --

The State of Jharkhand **.... Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Shailesh Kr. Singh, Advocate
:- Mr. Abhijeet Kr. Singh, Advocate
For the State :- Shree Prakash Jha, Advocate

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*02/**14.09.2026*** Heard learned counsel appearing for the petitioner as well as learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Dhansar P.S. Case No.97 of 2026, for the alleged offences registered under Sections 274 and 275 of Bharatiya Nyaya Sanhita, 2023, Section 47(a) of Jharkhand Excise Act pending in the Court of learned JMFC, Dhanbad.

3. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case and liquor has been recovered from the possession of Jitendra Mandal, who has taken the name of the petitioner. He further submits that when this fact has come to the knowledge of the petitioner, he has appeared before the Investigating Officer and pointed out that he has not handed over the said liquor to Jitendra Mandal and to buttress this argument he refers to Annexure-2 which is the reply of Section 35(3) of BNSS. He further

submits that the petitioner has got no criminal antecedent as disclosed in paragraph No.20 of the petition. On these grounds, he submits that anticipatory bail may kindly be granted.

4. Learned counsel appearing for the State opposed the prayer and submits that the name of the petitioner has come on the statement of Jitendra Mandal.

5. Annexure-2 is a document which is reply under Section 35(3) of BNSS and the receiving of SI concerned is also there in the said reply and the petitioner has got no criminal antecedent as disclosed in paragraph No.20 of the petition. In the attending facts and circumstances of this case, I am inclined to provide anticipatory bail to the petitioner.

6. Accordingly, the petitioner, above named, is hereby directed to surrender before the learned Court within three weeks from today, and in the event of his surrender/arrest, the petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of the like amount each, to the satisfaction of learned JMFC, Dhanbad in connection with Dhansar P.S. Case No.97 of 2026, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Dated 14.09.2026
Sangam/