

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B. A. No. 6137 of 2021

Manoj Kumar Chouhan ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioner : Mr. Anil Kumar, Sr. Adv.  
For the State : Mr. Sunil Kumar Dubey, Addl. P.P.

**02/07.09.2021**

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Adityapur P.S. Case No. 94 of 2021 registered under Sections 302, 34 of the Indian Penal Code.

Learned senior counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner committed murder of his own brother because of property dispute. It is then submitted that the allegations against the petitioner are all false. It is further submitted by learned senior counsel for the petitioner that the only allegation against the petitioner is that he was seen coming out from the room of the deceased by the wife of the deceased who is the informant of the case, immediately thereafter, the deceased was found dead. It is further submitted by learned senior counsel for the petitioner that admittedly there was property dispute between the parties and the mother of the petitioner also made an application before the officer in-charge, Adityapur requesting for equal partition of the house among her

sons, hence, the petitioner has been implicated in this case. It is next submitted that the informant was having illicit relationship with the one Raju Lal Singh, who is the friend of her husband and Raju Lal Singh is the most important suspect of the case. It is next submitted that the petitioner is ready to co-operate with the investigation of the case hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner of being seen coming out of the room of the deceased soon before his death hence, in view of serious allegation against the petitioner, the custodial interrogation of the petitioner is required during investigation of the case, the petitioner ought not be given the privilege of anticipatory bail.

Considering the serious allegations against the petitioner and the requirement of his custodial interrogation during investigation of the case, this Court is of the considered view that this is not a fit case, where the privilege of anticipatory bail be given to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

**(ANIL KUMAR CHOUDHARY, J.)**

Smita/-