

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2514 of 2025

 Rajesh Mallik @ Rajesh, son of Ranbeer Singh, resident of Riwada-70, P.O. Riwada, P.S. Gohana, District Sonipat, Haryana.

... ... Petitioner

Versus
 The State of Jharkhand.

... ... Opposite Party

CORAM : SRI ANANDA SEN, J.

 For the Petitioner(s) : Mr. Manoj Prasad, Advocate
 For the State : Mr. Manoj Kr. Mishra, A.P.P.

05/ 30.04.2025

This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest in connection with Simdega P.S. Case No.142 of 2024, for offences under Section 25(9) of the Arms Act and Sections 110, 125, 289, 270, 223 and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The case is presently pending before the Court of learned Chief Judicial Magistrate, Simdega.

2. The allegation against the petitioner is that he in a drunken state while on election duty has fired from his firearm.

3. From the record, it is clear that the petitioner was taken to the police station. His blood sample was taken and thereafter he was not arrested.

4. During argument, learned A.P.P. submits that he had taken specific instructions from the Investigating Officer who stated that the petitioner has complied with the notice under Section 35(3) of the BNSS, statement of the petitioner has also been recorded and there is no necessity to take him into custody

as custodial interrogation during investigation is not necessary.

5. Considering the aforesaid fact, this anticipatory bail application is **disposed of** with a direction to the petitioner to appear before the Court concerned, who will consider the aforesaid fact and pass the appropriate order in accordance with law and considering the judgment of the Hon'ble Supreme Court in the case of ***Satender Kumar Antil vs. Central Bureau of Investigation & Another***, reported in **2022 (10) SCC 51, Satender Kumar Antil vs. Central Bureau of Investigation & Another**, reported in **2024 (9) SCC 198** and ***Arnesh Kumar Vs. State of Bihar & Anr.*** reported in **(2014) 8 SCC 273.**

(ANANDA SEN, J.)

Prashant. Cp-3