

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.86 of 2026

1. Sajani Devi @ Sajan Devi, aged about 31 years, w/o Mohan Singh, R/o Village Tetardiha, P.O.-Beldaha, P.S.-Taljhari, District – Dumka (Jharkhand).
2. Jainath Layak, aged about 71 years, s/o Late Bhim Layak, R/o Azad Nagar, P.O.+P.S.- Dumka, District – Dumka (Jharkhand).

.... **Appellants**

Versus

1. The State of Jharkhand
2. Informant/Victim

.... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants	: Ms. Saman Ahmad, Adv.
For the State	: Mrs. Amrita Kumari, A.P.P.
For the Respondent No.2	: Mr. Mehul Raj, Amicus Curiae

05/Dated: 30th June, 2026

1. The present appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.
2. Heard learned counsel for the appellants, learned counsel for the State and learned Amicus Curiae for the victim.
3. The appeal has been filed for grant of anticipatory bail which has been rejected vide order dated 22.12.2025 in A.B.P. No.540 of 2025 passed by the learned Additional Session Judge-I, Dumka in connection with Dumka (T) P.S. Case No.306 of 2021, registered for the offence under Sections 341, 342, 323, 354(B), 504 & 34 of the Indian Penal Code and under Section 3(X) of the SC/ST (PoA) Act. The case is presently pending in the court of the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST), Dumka.
4. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such embargo would not apply where no *prima facie* offence under the provisions of the Act is made out.

5. It has been submitted by the learned counsel for the appellants that the allegation is against Mohan Prasad Singh and accordingly he has been charge-sheeted by the police and he has been bailed out also. Against these appellants the investigation has been shown pending and even on the basis of allegation no case is made out against these appellants. On the above basis, the prayer for anticipatory bail has been made.

6. On the other hand, learned counsel for the State and learned Amicus Curiae have opposed the prayer for bail.

7. Considering the fact that no role has been assigned to these appellants, the appellants, above named, are directed to surrender in the court below within four weeks from the date of receipt/ production of the copy of this order and in the event of their arrest or surrender, they shall be enlarged on bail, on their furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge (SC/ST), Dumka in connection with Dumka (T) P.S. Case No.306 of 2021 on the conditions as laid down under **Section 482 B.N.S.S., 2023**. Further, the appellants will submit self-attested photocopy of their Aadhaar Card and also submit their mobile number before the learned court below which they will always keep active and will not change it during pendency of this case without prior permission of the court.

8. In the result, the instant appeal stands allowed and disposed of.

9. The assistance given by Mr. Mehul Raj, learned amicus curiae, is highly appreciable.

10. Let this order be communicated to the learned Member Secretary, JHALSA, Ranchi, for the purpose of remuneration to be paid to the learned Amicus Curiae as permissible.

(Rajesh Kumar, J.)

Dated: 30th June, 2026
Amar/-
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