

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.340 of 2025

- 1. Binod Vishwakarma, aged about 53 years, Son of Kishun Mistry
 - 2. Vivek Vishwakarma, aged about 30 years, Son of Binod Vishwakarma
 - 3. Asraf Rahabar Ali @ Rahabar Quraishi, aged about 73 years, Son of Late Asgar Ali @ Quraishi. All are resident of Village Kondra, P.O. + P.S. Barhi, District Hazaribagh
- Appellant(s)

-Versus-

- 1. The State of Jharkhand
 - 2. Vikram Kumar, Son of Late Shyamdeo Prasad Ram, resident of Village Kondra, P.O. + P.S. Barhi, District Hazaribagh
- Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

- For the Appellants : Mr. Manoj Kr. Sah, Adv.
- For the State : Mr. Anup Topno, A.P.P
- For the Respondent No.2 : Mr. H.K. Shikarwar, Adv.

10/Dated: 15th June, 2026

- 1. Heard learned counsel for the appellant and learned counsel for the State and learned counsel for the respondent No.2/victim.
- 2. The present appeal has been preferred for quashing the orders dated 16.12.2023 & 17.05.2024 passed by the learned Additional District Judge-VI-cum-Special Judge, SC/ST Act, Hazaribagh, in connection with SC/ST Case No.77 of 2020, for the offence under Sections 147, 148, 448, 149 323, 379, 420, 467, 468, 471, 504, 506, 120(B) & 34 of the Indian Penal Code and Sections 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby and whereunder the learned Trial Court has directed for issuance of proclamation under Section 82 Cr.P.C as well as for attachment of property under Section 83 Cr.P.C. dated 16.12.2023 and 17.05.2024 respectively.
- 3. It has been submitted by the learned counsel for the appellants that the impugned orders are bad in law and there is no service report available on record. It has further been submitted that the appellants are ready to participate in the trial and as such, they have sought for opportunity.
- 4. Learned counsel for the State and learned counsel for the respondent No.2/victim have not opposed the prayer if the appellants participate in the trial.

5. Considering the fact that it is a private complaint and as such, the orders dated 16.12.2023 and 17.05.2024 passed by the learned Additional District Judge-VI-cum-Special Judge, SC/ST Act, Hazaribagh, in connection with SC/ST Case No.77 of 2020 are hereby, quashed and set-aside.
6. The appellants are directed to participate in the trial. If they appear within two weeks from today, the learned Trial Court is directed to accept the bond and allow the appellants to participate in the trial.
7. With the above observations and directions, the present criminal appeal is hereby, disposed of.

(Rajesh Kumar, J.)

Dated: 15th June, 2026

Raja/- Uploaded on 17.06.2026