

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (SJ) No. 333 of 2025

1. Dilip Kumar Mishra, aged about 57 years, son of Late Chaturgun Mishra, resident of Village Pachmo (Baghmundi), P.O. Karni, P.S. Itkhori, District Chatra.
 2. Sohan Yadav, aged about 43 years, son of Sobran Yadav, resident of Village- Belhari, Murumdag, P.O.-Dhauthawa, P.S. Itkhori, District Chatra.
 3. Prabhu Yadav, aged about 75 years, son of Late Kokil Yadav, resident of Village-Belhari, P.O.-Dhauthawa, P.S. Itkhori, District Chatra.
 4. Raju Yadav @ Raju Kumar Yadav, aged about 47 years, son of Prabhu Yadav, resident of Village- Belhari, P.O.- Dhauthawa, P.S. Itkhori, District Chatra.
 5. Gandhauri Yadav, aged about 50 years, son of Late Manki Yadav, resident of Village- Belhari, Halmata, P.O.- Dhauthawa, P.S. Itkhori, District- Chatra
- **Appellant(s)**

Vrs.

1. The State of Jharkhand
2. Sunil Kumar Das, son of Kedar Ravi Das, resident of Village- Belhari, P.O.- Dhauthawa, P.S.-Itkhori, District- Chatra

..... **Respondent(s)**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mrs. Jasvinder Mazumdar, Advocate
 For the State : Mr. V.K. Vashistha, Spl.P.P.

07/18.04.2026 The present appeal has been filed under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard learned counsel for the appellants and the learned counsel for the State.

3. The present appeal is directed against the order dated 21.01.2025 passed by the learned Additional Sessions Judge-I, Chatra in A.B.P. No. 77 of 2025 arising out of Itkhori P.S. Case No. 117 of 2019 (SC/ST Case No. 24 of 2023) registered for the offence under Section 295, 295A, 298/34 of the IPC and Section 3 of the SC/ST (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer of the appellants for grant of anticipatory bail has been rejected. The case is presently pending before the learned Additional Sessions Judge-I, Chatra.

4. It has been submitted by the learned counsel for the appellants that although the grant of anticipatory bail is barred under section 18 of the SC/ST (POA) Act, 1989 but if there is false allegation or no

case is made out under the SC/ST Act then prayer for anticipatory bail is maintainable. It has been further submitted that there is previous litigation between the parties and as such, they are on litigating terms and due to that reason this false and frivolous case has been lodged having general and omnibus allegation.

5. Learned counsel for the State has opposed the prayer for grant of anticipatory bail and it has been submitted that the allegation made in the F.I.R clearly suggests that it is case under the SC/ST (POA) Act and since Section 18 of the SC/ST Act bars grant of anticipatory bail, therefore appellants do not deserve to be granted the privilege of anticipatory bail.

6. Having heard learned counsel for the parties and on perusal of the record, it appears that the victim has been debarred from participating in puja process and thus, it clearly attracts the offence under the SC/ST Act. The very purpose of the enactment of the SC/ST Act is to criminalize such behaviour.

7. In view of above discussion, I find no reason to grant the privilege of anticipatory bail. Accordingly, the prayer of the appellants for grant of anticipatory bail is hereby rejected.

8. In the result, the present appeal is dismissed.

(Rajesh Kumar, J.)

18.04.2026
A. Mohanty/Raja

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