

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.382 of 2025

Amit Kumar Tiwary, aged about 30 years, son of Shiv Dutta Tiwary, resident of 23, Road No.2, Phase 2, Aditya Garden, Industrial Area, Post Adityapur, Police Station Adityapur, District – Seraikella Kharsawan.

.... **Appellant**

Versus

1. The State of Jharkhand

2. Sushmita Sagar, daughter of Arvind Sagar, resident of 130, Near Patro Clinic, Kagal Nagar, Sonari, Post Sonari, Police Station Sonari, Town Jamshedpur, District – East Singhbhum. **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant

: Mr. Vikash Kumar, Adv.

For the State

: Mr. Sardhu Mahto, A.P.P.

08/Dated: 06th April, 2026

1. The present appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Heard learned counsel for the appellant and learned counsel for the State.
3. It appears that the notice has been duly served upon the victim who happens to be the wife of the present appellant. However, in spite of giving several opportunities, nobody has appeared on behalf of the victim.
4. The appeal has been filed in the nature of anticipatory bail against the impugned order dated 25.03.2025 passed in A.B.P. No.90 of 2025 by the learned Additional Sessions Judge-I-cum-Special Judge SC/ST Act, Seraikella in connection with Adityapur P.S. Case No.57 of 2024, registered for the offence under Sections 498-A/504/506/34 of the Indian Penal Code, under Sections 3/4 of the Dowry Prohibition Act and under Section 3(1)(r) of the SC/ST (PoA) Act. The case is presently pending in the court of the learned District and Additional Sessions Judge-I, Seraikella.

5. Although anticipatory bail application is not maintainable in the case of SC/ST (PoA) Act but the point has been taken by the learned counsel for the appellant that since they are related with marriage and both are husband and wife and in such situation SC/ST (PoA) Act cannot get attracted. Further, the learned counsel submits that the appellant undertakes to participate in the trial. On these grounds, the prayer for anticipatory bail has been made.

6. On the other hand, learned counsel for the State has opposed the prayer for bail.

7. Considering the above facts, the appellant, above named, is directed to surrender in the trial court within four weeks from the date of receipt/production of the copy of this order and in the event of his arrest or surrender, he shall be enlarged on bail, on his furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned District and Additional Sessions Judge-I, Seraikella in connection with Adityapur P.S. Case No.57 of 2024 subject to the conditions as laid down under **Section 482 B.N.S.S., 2023**. Further, the appellant will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned trial court which he will always keep active and will not change it during pendency of the case without prior permission of the court.

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

(Rajesh Kumar, J.)

Dated: 06th April, 2026
Amar/-
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