

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.516 of 2025

1. Kuldeep Kumar, age about 27 years, son of Bandhan Mahto, resident of village-Govind di, P.O + P.S Barkagaon, District Hazaribag, Jharkhand
2. Harilal Mahto @ Gora Mahto @ Gora, aged about 39 years, Son of Anamol Mahto, resident of village-Govind di, P.O + P.S Barkagaon, District Hazaribag, Jharkhand
3. Laku @ Rakesh Kumar Ranjan, age about 39 years, son of Vijay Mahto, resident of Village+P.O +P.S. Barkagaon, District Hazaribag, Jharkhand
4. Deepak Kumar @ Mahto, age about 42 years, son of Dindayal Mahto, resident of village Govind di, P.O.+P.S. Barkagaon, Dist. Hazaribag. Jharkhand.
5. Binod Kumar Mahto @ Binod Kumar, age about 35 years, son of Govinad Kumar, resident of Tandwa Road. P.O.+P.S. Barkagaon, District Hazaribag, Jharkhand.
6. Suresh Mahto, age about 53 years, son of Mogal Mahto, resident village+P.O.+P.S Barkagaon, District Hazaribag, Jharkhand
7. Sunny Kumar, age about 31 years, son of Ranjan Kumar, resident of Barkagaon West, P.O.Barkagaon, P.S.-Barkagaon, District Hazaribag, Jharkhand
8. Matukdhari Kumar @ Matukdhari Mahto, age about 43 years, son of Devanandan Mahto, resident of Dohar Nagar, 243, P.O.+ P.S Barkagaon, District Hazaribag, Jharkhand
9. Shatrughan Mahto, age about 46 years, son of Fudan Mahto, resident of village Govind Dih, P.O.+ P.S.Barkagaon, District-Hazaribag, Jharkhand
10. Ram Bilash @ Ram Gilas Mahto, age about 39 years, son of Govind Anamol Mahto, resident of village Govind di, P.O.+ P.S. Barkagaon, District Hazaribag, Jharkhand
11. Raju Kumar @ Mahto, age about 43 years, son of Vijay Mahto, resident of village Govind Dih, Barkagaon West, P.O.+P.S. Barkagaon, Dist.-Hazaribag, Jharkhand

.... **Appellant(s)**

-Versus-

1. The State of Jharkhand
2. Sanjay Barla, age about 36 years, son of Sushil Kumar Barla, resident of Village-Chatakpur, P.O + P.S. Kamdara, District Gumla, Jharkhand

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

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants	: Mr. Santosh Kumar Soni, Adv.
For the State	: Mr. Satish Keshri, A.P.P
For the Informant	: Mr. Ankur Anand, Adv.

07/Dated: 06th April, 2026

1. Heard the parties.
2. The present appeal has been filed under Section 14-A of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.
3. The present appeal has been filed against the order dated 04.04.2025 passed by the learned Additional Sessions Judge-VI-cum-Special Judge SC/ST Hazaribag in A.B.P No.722 of 2025 in connection with Barkagaon P.S Case No.160 of 2019, for the offence under Sections 147, 148, 149, 341, 323, 337, 353, 427, 504 & 307 of the Indian Penal Code and Sections 3 & 4 of the SC/ST (Prevention of Atrocities) Act, by which the prayer for anticipatory bail of the appellants have been rejected.
4. It appears that the police party was assaulted by a group of villagers. However, single individual victim has lodged the F.I.R in his personal capacity claiming that he has been abused as a member of Scheduled Tribe Community.
5. Learned counsel for the appellants has submitted that it is a merely a dispute with the police party and a group was involved in the alleged crime. There was no occasion to single out any police personnel rather the police party has also been assaulted even as per the allegation. The inclusion of provisions of SC/ST (PoA) Act and that too by an individual member shows the *malafide* attitude by a person who is in the dress. It is nothing but misuse of the police power. On the above basis, the prayer for bail has been made.
6. Learned counsel for the State and the informant have opposed the prayer for bail and it has been submitted that the victim has been abused and as such, the offense under the SC/ST Act has been made out. The police personnel have assaulted him.
7. Having heard the learned counsel for the parties and from perusal of the records, it appears that the special effort has been taken by these appellants, although there was a group of persons in both the sides. It is nothing but misuse of the process of the Court as well as protective legislation.
8. Considering the above facts, I am inclined to grant the privilege of anticipatory bail to the appellants. Accordingly, the appellants, named above, are directed to surrender in the trial court within four weeks from the date of receipt/production of a copy of this order, and in the event of their arrest or surrender, they shall be enlarged on anticipatory bail, on their furnishing bail

bond of Rs.10,000/- (*Rs. Ten Thousand*) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge SC/ST Hazaribag in connection with Barkagaon Case P.S No.160 of 2019, on the conditions as laid down under Section 482 of the B.N.S.S 2023. Further, the appellants will submit self-attested photocopies of his/her/their Aadhaar Cards and also submit his/her/their mobile number(s) before the learned trial court which he/she/they will always keep active and will not change it without prior permission of the court, till conclusion of the case.

9. In the result, the present criminal appeal stands allowed and accordingly, disposed of.

(Rajesh Kumar, J.)

Dated: 06th April, 2026

Raja/- Uploaded on 07.04.2026