

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 512 of 2025

1.Shahid Kuraisi @ Md. Shahid @ Raj
2.Raja Kuraisi @ Md. Raj @ Md. Raza
3.Md. Imran @ Imran Kuraisi @ Imran Ansari @ Chotu
.... Appellants

Versus

1.The State of Jharkhand
2.Victim Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants : Mr. Parambir Singh Bajaj, Advocate
For the State : Mr. Anuradha Sahay, A.P.P.

05/24.11.2025

This Criminal Appeal has been filed on behalf of the appellants under Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (To be referred to as S.C./S.T Act hereinafter), challenging the order dated 24.03.2025, passed in A.B.P. No. 646 of 2025, by the learned Additional Sessions Judge-VI, Hazaribagh, by which prayer for anticipatory bail made on behalf of the appellants, namely Shahid Kuraisi @ Md. Shahid @ Raj, Raja Kuraisi @ Md. Raj @ Md. Raza, Md. Imran @ Imran Kuraisi @ Imran Ansari @ Chotu has been rejected in connection with Lohsinghna P.S. Case No. 247 of 2023, instituted for the offences under Sections 147, 148, 149, 341, 342, 323, 324, 307, 354B, 376, 511, 406 and 420 of Indian Penal Code and Section 3(2) (va), 3(i)(s) of S.C./S.T Act, pending in the Court of learned Additional Sessions Judge. X, Hazaribagh.

2. The prosecution case is based on the written report of the Informant/victim stating that in her village one Rizwana Parveen, wife of Mohd. Javed and Raj alias Shahid Kuraisi (Appellant No. 1) son of Asif Qureshi went to her village and in the name of providing jobs and

loans to poor tribal women, cheated her of Rs.40,000/- (Rupees 40,000/-) in cash on the first day and Rs.25,000/-(Rupees Twenty five thousand) through phone pay, and lakhs of Rupees from many other women. When they came to know about this, they started asking for their money. However, after procrastinating for several days, on 09.11.2023 at around 06:30 Shahid Kuraisi called them to his rented house in front of Lohsinghana Cold Store to take the money, where 8-10 boys were already kept hidden in his house in a planned manner, of which the informant side were not aware and when they started asking for the money, suddenly Shahid Kuraisi alias Raj (Appellant-1), Raja Kuraisi (Appellant-2) and Imran Kuraisi alias Chotu (Appellant-3), Sonu Qureshi, Saif Qureshi, Rizwana Parveen, Reshma Praveen and 8-10 more boys, residents of Mandai Kala, Hazaribagh suddenly pulled the hair of the Informant and hit her on the chest with wrong intentions. When her husband tried to stop them, they hit him on the head with a *Bhujali* (axe), due to which he sustained head injury and blood started gushing out. Other ladies also went with the Informant to ask for their money and these people beat them too and tore their clothes and told them to take off their clothes as they all are tribals, who do business and they would show them what a gang rape is and Raj and other boys had a pistol and dagger. One of them hit her husband on the head which caused a lot of bleeding. The Informant side were forced to admit the husband of the Informant to the Sadar Hospital Hazaribagh and his condition is critical. They forcibly dragged Anju Kujur, Damini Kachhap, Ritika Kerketta, who accompanied the Informant, into the house and locked them up and tried to

rape them. It is alleged that the Informant somehow ran away to the police station and was asked to go to Sadar Hospital. Then when people from the village of the Informant came and the local people of Mandi created a ruckus, they opened the door and somehow the other girls escaped saving their lives.

3. Heard Mr. Parambir Singh Bajaj, learned counsel for the appellants, Mrs. Anuradha Sahay, learned A.P.P.

4. It is submitted by learned counsel for the appellants that the impugned order passed by the learned Court below rejecting the bail of the appellants is illegal and not sustainable in law. It is submitted that the appellants are innocent and have not committed any offence and have been falsely implicated by the Informant. It is submitted that the appellants were only known to one Rizwana Parveen and her husband Md. Javed, who had some loan dispute with the informant and some others and there was also some dispute regarding distribution of commission and hence, the Informant has implicated all the appellants and other accused persons. It is submitted that there is no prima-facie case against the appellants on merits and the offences under S.C./S.T Act has been alleged only to make sure that the appellants are not released on anticipatory bail. It is submitted that there is no specific allegation as to who had taken Rs.40,000/- and Rs.25,000/- from the Informant. The allegations against the appellants are general in nature and there is no specific allegation. It is submitted that there is no attempt to commit rape by the appellants and at best the allegation is that the appellants tried to drag the

Informant side inside the house and hence, the appellants may be granted anticipatory bail.

5. On the other hand, learned A.P.P. has opposed the prayer for anticipatory bail. It is submitted that the appellants have tried to commit rape upon the victim girls from the Informant side and cheated their money in the name of providing them private job and which is supported by the Informant in Para 4 of the Case Diary and also by some of the witnesses, whose statements have been recorded in at Para 66, 67, 68, 69 and 70 of the Case Diary respectively. Hence, prayer for anticipatory bail made on behalf of the appellants may be rejected.

6. Perused the F.I.R., the Case Diary and considered the submission of both sides.

7. It reveals from the F.I.R. that there is direct allegation against the accused persons including the appellants for assaulting the husband of the Informant with *Bhujali* due to which her husband sustained head injury and the appellants threatened the Informant and other girls of Informant-side of committing gang rape upon them.

8. It also reveals that three girls from Informant side, namely Anju Kujur, Damini Kachhap and Ritika Kerketta were also confined in the room by the accused persons and the accused persons also tried to commit rape upon them, but they somehow saved themselves and fled away.

9. From perusal of subsequent statement of the Informant recorded at Paragraph 4 of the Case Diary and statement of the other victim girls, namely Anju Kujur, Ritika Kerketta, Damini Kachhap and other

witnesses, namely Vikas Kumar and Ranjit Mahto at Para 66, 67, 68, 69 and 70 of the Case Diary respectively, it would appear that all the accused persons including the appellants had asked them to remove their clothes and threatened to commit gang rape upon them and also tried to commit rape upon three of the girls from Informant-side by confining them in a room.

10. It reveals that there is specific statement of the Informant that the husband of the Informant was assaulted on the head and for which he was admitted to the hospital, but the I.O. has not produced any Injury Report of the Injured-husband, namely Ranjit Kumar Mahto, who was also examined and whose statement has been recorded at Paragraph 70 of the Case Diary and who has also stated that he sustained head injury due to *Bhujali* blow given by the accused persons including appellants.

11. It also appears from the statement of the victim girl recorded under Section 183 of B.N.S.S. that she has fully supported the case against all the accused persons including the appellants on 22.08.2025.

12. This Court further finds that I.O. of this case is not fair in making investigation as the Investigation of this case has started at Paragraph 1 on 10.11.2023 and the Diary has been produced up to Paragraph 92 showing submission on 22.08.2025 and for around two years the Injury Report of injured Ranjit Kumar Mahto has not been brought on record in the Case Diary and there is not even a whisper about it in the Case Diary.

13. It appears that there is specific allegation against the accused persons for inducing the Informant to

pay Rs.40,000/- and subsequently Rs. 25,000/- on phone pay in the garb of providing job, which was not done and they have not returned the amount.

14. Considering the above facts and the specific statements of the Informant and the victim girls and other witnesses recorded in at Para 66, 67, 68, 69 and 70 of the Case Diary respectively, this Court is not inclined to grant anticipatory bail to the appellants and hence, prayer for anticipatory bail of the appellants is rejected.

15. Let a copy of this order be sent to the Senior Superintendent of Police, Hazaribagh to look into the matter and for fair investigation of this case.

16. Thus, this Cr. Appeal (S.J.) No. 512 of 2025 is, hereby dismissed.

(Sanjay Prasad, J.)

s.m.

Dated 24.11.2025