

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 517 of 2025

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Bhola Prasad, aged about 29 years, Son of Uday Prasad, resident of Village- Saldega, Tongaritoli, P.O.+P.S.+District+ Simdega, Jharkhand-835223

.....Appellant

Versus

1. The State of Jharkhand
2. Sanjay Kumar Bakhla, Son of Bhikhu Bakhla, resident of Saldega, Sarna Mandir road, in front of Govt. Middle School, P.O.+P.S.+District- Simdega currently posted as District Transport Office, Simdega.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant	: Mr. Rishikesh Giri, Advocate
For the State	: Mr. P.K. Chatterjee, Spl.P.P
For the Resp. No.2	: Mr. Pradyot Chatterjee, Advocate

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ORAL ORDER IN COURT

Order No.06/27th January 2026

1. This Criminal Appeal has been filed on behalf of the appellant who is apprehending his arrest in connection with Simdega P.S. Case No. 28 of 2025 for the offences under Sections 308(2), 132, 352, 351(3) and 3(5) of BNS, 2023 and Section 3(i)(x) of SC/ST (PA) Act 2015 by which the prayer of anticipatory bail of the appellant has been rejected and which is pending in the Court of learned Chief Judicial Magistrate at Simdega.

2. As per the F.I.R, the informant is posted as District Transport Office (D.T.O.), Simdega and while the informant was checking the vehicles along with his employee on 03.03.2024, then the appellant came with two unknown persons near the government vehicle to make video. It is alleged that he took the

key of his vehicle and obstructed the government worker and abused him in the name of his caste.

3. Heard learned counsel for the appellant and learned APP as well as the learned counsel for the Respondent No.2.

4. Learned counsel for the appellant submitted that the appellant is innocent and has committed no offence and has been falsely implicated in this case. It is submitted that the appellant was working as a driver of the informant in the office of the District Transport Officer, Simdega for a long period and he was appointed by the District Transport Officer for learning vehicle. However, in this case, the appellant has played the role of the whistleblower as he had seen the illegal acts of the informant who was extorting money from the drivers of the vehicle crossing through this area. It is submitted that the appellant has been falsely shown as fake D.T.O., for taking an illegal amount from the passing vehicles and as a matter of fact informant and his persons Siddharth Raj and Rajesh Kumar were taking illegal gratification from the passing vehicles of the area in question. It is submitted that the appellant has filed application before I.O., Simdega for making the investigation properly and he had shown the video of illegal recovery from vehicle owners and when the same video was displayed at TV News11, then this false case has been instituted against the appellant. It is further submitted that no offence under sections SC/ST Act made out against the appellant as there is no specific words used by the appellant against the informant in the name of his caste and hence, he may be enlarged on anticipatory bail.

5. On the other hand, learned Spl.P.P has opposed the prayer of anticipatory bail of the appellant. It is submitted that the

informant has been defamed by the appellant by abusing him in the name of his caste. It is submitted that appellant was working as fake D.T.O. and was taking illegal recovery from the passing vehicles on the date of occurrence and also on previous dates. It is submitted that informant during his subsequent statement recorded in paragraph-4 of the case diary and other witnesses, namely, Siddharth Raj and Rajesh Kumar, whose statements have been recorded at paragraph 13 and 14 of the case diary respectively, have fully supported the case. It is submitted that the D.C. Simdega has directed the informant to institute the case against the appellant for taking illegal money from the passing vehicles i.e., Trucks, Cars, etc., and hence, the prayer of anticipatory bail of the appellant may be rejected.

6. Learned counsel for the Respondent No.2, after adopting the submissions of learned Spl.P.P, has further submitted that the appellant has introduced himself as D.T.O. for illicit recovery of money. It is submitted that the appellant was earlier appointed by the informant in his office, but due to his illegal acts, the appellant was removed from his service. It is submitted that on instruction of D.C. Simdega, the case has been instituted for taking illicit money and which is supported by several witnesses, namely, Siddharth Raj, Rajesh Kumar at paragraph 13 and 14 of the case diary and other witness Ajit Kumar Ravi at paragraph-38 of the case diary and hence, the prayer of anticipatory bail of the appellant may be rejected.

7. Perused the FIR and Case Diary.

8. It reveals from the FIR that the appellant is alleged to obstruct in the official duties of the informant and abused him.

9. It appears from the counter affidavit filed by the informant and also the rejoinder filed by the appellant that the series of allegation has been leveled regarding sanction of three vehicles by the appellant and regarding grant of loan of three vehicles, two vehicles from Mahindra Finance, Simdega and one vehicle from ICICI Bank, Simdega to the appellant in the name of his family members.

10. This Court is surprised to see that the appellant, a daily wage driver on an outsource basis has purchased three vehicles while working at D.T.O. Simdega.

11. This Court is also surprised to see as to how the D.T.O., Simdega is engaging person in his personal capacity, whose statement has been recorded at paragraph 13 and 14 of the case diary as Siddharth Raj and Rajesh Kumar. Although, there is dispute with regard to allegation made in the FIR, but considering the conduct of the appellant, this Court is not inclined to extend the benefit of anticipatory bail to the appellant. The present case is a gross example of massive illicit money by the appellant, but it also shows that a racket was being run in the office of D.T.O. Simdega. Although, the illegal gratification by the hands of D.T.O. and their persons have been denied by filing the counter affidavit by the respondent no. 2. The appellant has claimed to have exposed the illegal act of the informant-respondent no. 2, but his conduct is also far from being satisfactory. The appellant has himself admitted to be working as a 'Driver' in the office of the D.T.O. Simdega, but he has taken three luxury vehicles on bank loans which is unimaginable for a person, who was working privately on outsourcing basis and one In-nova Crysta car and two Scorpio cars have been purchased by the family members of the appellant.

Therefore, this Court is not entitled to extend the benefit of anticipatory bail to the appellant.

12. Thus, this Criminal Appeal (SJ) No.517 of 2025 is, hereby, dismissed.

Accordingly, interim order dated 07.08.2025 and on subsequent dates passed by this Court, stand, vacated.

(Sanjay Prasad, J.)

Dated 27th January, 2026

Simran/-