

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.488 of 2025

1. Devnandan @ Devnanda Sharma, aged about 70 years, S/o Mahesh Sharma
 2. Mukesh @ Mukesh Sharma, aged about 28 years, S/o Prithvi Sharma
 3. Vivek @ Vivek Sharma @ Vivek Kumar, aged about 21 years, S/o Prithvi Sharma
 4. Anuj @ Anuj Sharma, aged about 29 years, S/o Devnandan Sharma
 5. Vishwanat @ Vishwanat Sharma, aged about 60 years, S/o Bashudev Sharma, All R/o Village Dulhar, P.O & P.S. Hussainabad, District Palamau, Jharkhand
- **Appellant(s)**

-Versus-

1. The State of Jharkhand
2. Gunga Kumari @ Gunja Kumari, D/o Pramod Kumar, R/o At-Kanit Nahi, P.O & P.S. Hussainabad, District Palamau, Jharkhand

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

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants	: Mr. Sheo Kr. Singh, Adv.
For the State	: Mr. Abhay Kr. Tiwari, A.P.P
For the Respondent No.2	: Mr. Deepak Kr. Singh, Adv.

08/Dated: 16th April, 2026

1. Heard the parties.
2. The present appeal has been filed against the order dated 29.05.2025 passed by the learned Special Judge, SC/ST (PoA) Act, Palamau, in M.C.A No.1032 of 2025 in connection with Hussainabad P.S. Case No.78 of 2025, registered for the offence under Sections 126(2), 329(4), 115(2), 109, 75, 351(2), 351(3), 3(5) of the BNS, 2023 and Sections 3(1)(r) & 3(1)(s) of the SC/ST (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the appellant have been rejected.
3. Although, it has been submitted that Section 18 of the SC/ST (PoA) Act bars anticipatory bail, but the allegation clearly suggest that there is a land dispute between the parties and the assault is not due to the caste fight. Further, it appears that there is a case and counter-case between the parties. The specific allegation, as evident from the case diary, is against one of the accused persons

namely, Saroj Kumar Sharma. On the above basis, the prayer for bail has been made.

4. Learned counsel for the State and learned counsel for the informant have opposed the prayer and submitted that it is a crime committed by a group and all of whom are family members. Further, it has been submitted that the injuries are serious in nature caused by a sharp cutting weapon. The offence was committed after trespassing into the house and a female member has also been assaulted.

5. Considering the nature of the allegations and the injuries, I am not inclined to grant the privilege of anticipatory bail to the appellants. Accordingly, the prayer for bail of the appellants is hereby, rejected.

6. Accordingly, the present criminal appeal is hereby, dismissed.

(Rajesh Kumar, J.)

Dated: 16th April, 2026

Raja/- Uploaded on 18.04.2026