

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 542 of 2025

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Osiyar Ansari @ Wasir Ansari age about 21 years son of
 Khurshid Ansari, Resident of village Jatro Banjari, PO & PS-
 Bardiha, District- Garhwa, Jharkhand **..... Appellant**

Versus

1. The State of Jharkhand
 2. Poonam Kumar, Daughter of Dasrath Rajwar, resident of
 village- Purahe Post- Kashae, PS- Manjhion, District- Garhwa

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant	: Mr. Mohit Prakash, Advocate
For the State	: Mr. Ajay Kumar Pathak, A. P. P.
For the Resp. No. 2	: Mr. Manoj Kumar-II, Advocate

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ORAL ORDER IN COURT

03/15.10.2025 The Cr. Appeal (SJ) No. 542 of 2025 has been filed by the appellant under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 by challenging the order dated 22.05.2025 passed by Sri Dinesh Kumar, learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, Garhwa in ABP No. 331 of 2025 arising out of Bardiha P.S. Case No. 87 of 2024 registered for the offences under Sections 115 (2), 117 (2), 351(2), 351 (3), 352 of the BNS and Section 3 (1)(s) of the SC/ST Act by which the prayer for Anticipatory Bail of the appellant has been rejected.

2. As per the FIR, the appellant is alleged to have forcibly tried to give mobile to the victim girl i.e. the Informant and when she refused to take mobile, the appellant abused her in the name of her caste and assaulted her mercilessly by legs and shoes and snapped photograph with her and also the appellant is alleged to

put pressure upon the victim girl that he will not allow to marry with other person.

3. Heard learned counsel for the appellant, learned counsel for the State and learned counsel for the respondent no. 2.

4. Learned counsel for the appellant has submitted that the impugned order passed by the learned Court below is illegal and not sustainable in eye of law. It is submitted that the appellant is innocent and has committed no offence. It is submitted that the allegations against the appellant are false and concocted. It is submitted that other eye witness Kavita Kumari and Sima Devi, whose statements have been recorded at para-6 and 7 of the case diary, have not supported the allegation against the appellant. It is submitted that the appellant is ready to co-operate with the police and he will appear for statement, if it is required. It is submitted that all the Sections are bailable except the allegation made under SC/ST Act and hence, the appellant may be enlarged on Anticipatory Bail.

5. Learned counsel for the State has opposed the prayer for Anticipatory Bail.

6. Learned counsel for the Respondent no. 2 has also opposed the prayer for Anticipatory Bail and has submitted that the appellant has assaulted the Informant mercilessly and abused her in the name of her caste and threatened her several times that he will not allow her to perform marriage and hence, prayer for Anticipatory bail of the appellant may be rejected.

7. Perused the FIR and the case diary and considered the submissions of both the sides.

8. It appears that there is direct allegation against the appellant for assaulting the victim girl-Informant mercilessly by

legs and shoes and abused her in the name of her caste and snapped photo with her and the appellant even threatened to put pressure upon the victim girl not marry with any other person, although her marriage has been settled and she has been engaged with another person.

9. It appears that the victim girl has recorded her statement under Section 180 of the BNSS and has supported the fact.

10. It also appears that the witnesses namely Kavita Kumari and Soni Devi, whose statement have been recorded at para- 6 and 7 of the case diary have stated that the appellant has abused her and even he had assaulted the witnesses Lalo Devi and Sima Devi, who had tried to intervene.

11. Thus it is clear that allegations against the appellant are serious in nature and he has taken law in his own hand.

12. Considering the facts and circumstances of the case, the prayer for Anticipatory Bail of the appellant is rejected.

13. Under the circumstances, the impugned order dated 22.05.2025 passed by Sri Dinesh Kumar, learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, Garhwa in ABP No. 331 of 2025 arising out of Bardiha P.S. Case No. 87 of 2024 is upheld.

14. Thus, the Cr. Appeal (SJ) No. 542 of 2025 is dismissed and stands disposed of.

(Sanjay Prasad, J.)

Dated 15.10.2025
Kamlesh/