

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 527 of 2025

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Rohit Mahato @ Rohit Kumar Mahto @ Rohit Kumar Mahato, aged about 24, S/O Shambhu Nath Mahato, R/O Near Shiv Mandir, Basko Nagar, Gamharia, Chota Gamaria, PO- Adityapur, PS- Adityapur, District- Seraikella- Kharsawan, Jharkhand-832108, Mob. No. 9162427139
..... Appellant

Versus

1. The State of Jharkhand
2. Grace Bhengra

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant	: Ms. Soniya Hansda, Advocate
For the State	: Mr. Abhay Kumar Tiwari, A. P. P.
For the Resp. No. 2	: None.

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ORAL ORDER IN COURT

09/25.11.2025 The Cr. Appeal (SJ) No. 527 of 2025 has been filed on behalf of the appellant under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in connection with Adityapur P. S. Case No. 385 of 2024 instituted for the offences under Sections 126(2), 115(2), 351(2) (3) and 3(5) of BNS, 2023 and Sections 3 (1)(c) of the SC/ST Act by which the prayer for Anticipatory Bail of the appellant has been rejected vide order dated 17.05.2025 passed by Sri Chaudhary Ahsan Moiz, learned Additional Sessions Judge- I-cum-Spl. Judge SC/ST Act, Seraikella in A. B. P. No. 132 of 2025.

2. As per the FIR, it is alleged by the Informant that the appellant along with Shambhu Mahto and Santosh Lohar and 12 to 15 other unknown persons had called her along with her brother Habrial Bhengra and her father Masi Bhengra for talking and conciliation and thereafter when they reached in the field, then the appellant and other accused persons started assaulting them by Belt, Kada (Bracelet), Danta and Rubber Belt etc. and abused them and threatened them of dire consequences.

3. Heard learned counsel for the appellant and learned counsel for the State. However, none appears on behalf of the respondent no. 2.

4. Learned counsel for the appellant has submitted that the appellant is innocent and has committed no offence. It is submitted that the allegation against the appellant for assaulting the informant and her brother and father are false and concocted. It is submitted that specific name of caste has not been taken by the appellant as has been alleged by the Informant. It is submitted that the appellant has got no criminal antecedent and hence, the appellant may be enlarged on Anticipatory Bail.

5. Learned counsel for the State opposed the prayer for Anticipatory Bail and has submitted that there is direct allegation against the appellant for assaulting the informant and her family members and three persons sustained injury and hence, prayer for Anticipatory Bail of the appellant may be rejected.

6. Perused the records of this case and case diary and considered the submissions of learned counsels for both the sides.

7. It appears that there is direct allegation against the appellant for abusing and assaulting the Informant and her family members in open field.

8. It appears that three persons i.e. the Informant and her father and her brother have sustained injuries, which is supported by the witnesses namely Grace Bhengra i.e. the Informant, Massi Bhengra, i.e. the father of the Informant and Gabriyal Bhengra i.e. the brother of the Informant at para- 3, 4 and 5 of the case diary and also supported by other witnesses namely Mintu Kujur at para-27 of the case diary. Further it reveals that Grace Bhengra i.e. the Informant, Massi Bhengra, i.e. the father of the Informant were treated at Hospital.

9. Dr. Savitri Rani, who has conducted medical

examination of Grace Bhengra i.e. the informant on 14.10.2024 and found the following injuries:-

“1. Scratch mark on right side of shoulder 10 x 1/8 x 1/8.

Opinion- All injuries are simple & caused by blunt and hard objects.”

Dr. Savitri Rani, who has conducted medical examination of Massi Bhengra, i.e. the father of the Informant on 14.10.2024 and found the following injuries:-

“1. Marks of Scratches on abdomen 14 x 1/8 x 1/8,

2. Scratch mark on back 10 x 1/8 x 1/8.

Opinion- All injuries are simple & caused by blunt and hard objects.”

10. It appears that the offence has taken place in public view and two persons had sustained injuries. Hence, this Court is not inclined to enlarge the appellant on Anticipatory Bail and hence, the prayer for Anticipatory Bail of the appellant is hereby rejected.

11. Accordingly, the Cr. Appeal (SJ) No. 527 of 2025 is dismissed and the impugned order dated 17.05.2025 passed by Sri Chaudhary Ahsan Moiz, learned Additional Sessions Judge- I-cum-Spl. Judge SC/ST Act, Seraikella in A. B. P. No. 132 of 2025 arising out of Adityapur P. S. Case No. 385 of 2024 is upheld.

12. Thus, the Cr. Appeal (SJ) No. 527 of 2025 is dismissed.

However, the appellant is directed to surrender before the learned Court below and pray for regular bail and the learned Court below shall pass an appropriate order, without prejudice to the order passed by this Court.

(Sanjay Prasad, J.)

Dated 25.11.2025
Avinash/