

IN THE HIGH COURT OF JHARKHAND AT RANCHI**Cr. Appeal (S.J) No. 619 of 2025**

- 1.Urmila Kunwar, aged about 51 years, wife of Gulab Mehta
- 2.Kulwanti Devi @ Fulwandi Devi, aged about 30 years wife of Mathura Mehta
- 3.Soni Devi, aged about 27 years, wife of Prayag Mehta
- 4.Mathura Mehta, aged about 37 years, son of Gulab Mehta
- 5.Prayag Mehta @ Prayag Kumar Mehta, aged about 34 years, son of Gulab Mehta

All residents of Village Arangi, P.O. Arangi, P.S-Kharaundhi,
District-Garhwa (Jharkhand) Appellants

Versus

- 1.The State of Jharkhand
- 2.Saroj Devi wife of Vijay Kumar Singh Chero and daughter of Suneshwar Singh Chero, resident of Village Arangi, P.O. Arangi, P.S. Kharaundhi, District Garhwa (Jharkhand)

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants	: Mr. Ashok Kumar, Advocate
	: Mr. S.T. Sajid, Advocate
For the State	: Mr. Sardhu Mahto, APP
For the Informant	: Mr. Manoj Kumar No.2, Advocate

ORAL ORDER IN COURT

04/Dated:26th November, 2025

Heard Mr. Ashok Kumar, learned counsel for the appellants, Mr. Sardhu Mahto, learned APP for the State and Mr. Manoj Kumar-No.2, learned counsel for the Informant.

2. This Criminal Appeal has been filed on behalf of the appellants challenging the order dated 20.06.2025 passed by Sri Sanjay Kumar Singh-II, learned Additional Sessions Judge-I, Nagar Untari in A.B.P No.182 of 2025, arising out of Complaint Case No.73 of 2019, instituted under sections 147, 148, 323, 307, 354 of I.P.C and Sections 3(1)(r), 3(1)(s), 3(1)(g) of SC/ST (Amendment) Act by which the prayer for anticipatory bail of the appellants has been rejected.

3. As per complaint, the appellants are alleged to have abused the informant, her father and mother in the name of caste on 11.09.2019 and they have also assaulted them.

4. Learned counsel for the appellants submitted that the appellants are innocent and they have been falsely implicated in this case. It is submitted that there is delay of six days in filing the complaint case. It is submitted that Appellant No.1, 2 and 3 namely Urmila Kunwar, Kulwanti Devi @ Fulwandi Devi and Soni Devi are ladies and no specific overt act is alleged against them. It is submitted that even the Appellant No.4-Mathura Mehta and Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta are alleged to have assaulted and abused the informant and her parents in the name of their caste and had assaulted them. However, no injury report has been enclosed to show any injury sustained by the informant and her father. It is submitted that the informant and his family members were trying to grab the forest land and they are continuously indulged in such activities. It is submitted that Up-Mukhiya has given certificate on 15.09.2019 that no such occurrence has taken place in the village. It is submitted that there is general and omnibus allegation against all the appellants and hence they may be enlarged on anticipatory bail.

5. On the other hand, learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that there is direct allegation against the appellants for assaulting the informant and her parents and for abusing them in the name of their caste. It is submitted that the complainants during her Solemn Affirmation (S.A) and other Enquiry Witnesses, have supported the complainant's case and hence, the prayer for anticipatory bail of the appellants may be rejected.

6. Learned counsel for the informant, after adopting the submission of the learned APP, has further submitted that all the appellants have abused the informant and her parents in the name of her caste and Appellant No.4-Mathura Mehta and Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta have assaulted the informant and her father and mother. It is submitted that Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta has also opened the Sari of her mother and threatened them of dire consequences.

7. During course of submission, learned counsel for the informant has shown the photo copy of the injury slip issued by the Sadar Hospital, Garhwa in the name of Saroj Devi (who was treated as an outdoor patient) and hence, the prayer of anticipatory bail of the appellants may be rejected.

8. Perused the records of this case and considered the submission of both the sides.

9. It appears that the occurrence had taken place on 11.09.2019 but complaint case was filed on 17.09.2019 after delay of six days.

10. It appears from the complaint that the appellants are alleged to have abused the informant and her parents in the name of caste and the Appellant No.4-Mathura Mehta and Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta are said to have assaulted the parents of the informant and even the informant had sustained injury on her head due to '*Garasa*' blow inflicted by the Appellant No.5- Prayag Mehta @ Prayag Kumar Mehta.

11. It appears that so far as allegation of outraging of modesty of informant is concerned, the same is not mentioned in the complaint. However, the same has been mentioned first time in the Solemn Affirmation (i.e. S.A) of the complainant recorded

on 03.10.2019. Thus, at this stage, the allegation of outraging the modesty appears to be developed subsequently.

12. It appears that there is specific allegation against the Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta for assaulting the complainant on her head by 'Garasa' causing head injury to her and for assaulting the partents of the informant and hence, this Court is not inclined to enlarge the Appellant No.5 on anticipatory bail and hence the prayer for bail of Appellant No.5-Prayag Mehta @ Prayag Kumar Mehta is, hereby, rejected.

13. So far as Appellant No.1 to 4 are concerned, the allegation against them are general and omnibus.

14. Accordingly, the Appellant No.1 to 4 namely, Urmila Kunwar, Kulwanti Devi @ Fulwandi Devi, Soni Devi and Mathura Mehta are directed to surrender before the learned Court below within six weeks from today and in the event of their arrest or surrender, the Appellant No.1 to 4 are directed to be released on bail, on furnishing bail bonds of Rs.15,000/- (Rs.Fifteen Thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge-I, Nagar Untari in A.B.P No.182 of 2025, arising out of Complaint Case No.73 of 2019.

15. With the above observation, Cr. Appeal (SJ) No.619 of 2025 is allowed in part.

(Sanjay Prasad, J.)

Dated: 26.11.2025
Saket/-