

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.671 of 2025

- 1. Binod Saw, age about 41 years, Son of Sukar Saw
- 2. Prakash Saw, age about 42 years, Son of Pokhani Saw,
- 3. Tilak Saw, age about 45 years. Son of Budhan Saw,
- 4. Sudama Saw, age about 56 years, Son of Chhotu Saw,
- 5. Ganesh Saw, age about 23 years, Son of Mahendra Saw,
- 6. Rohit Saw, age about 33 years, Son of Banshi Saw,
- 7. Ramlal Saw, age about 57 years, Son of Babun Saw,
- 8. Raju Saw @ Raj Kumar Saw@ Raju Saw, age about 48 years. Son of Etwari Saw
- 9. Kishor Saw, age about 50 years. Son of Khago Saw
- 10. Mahesh Saw @ Mahesh Chhotu Saw @ Mahesh Saw, age about 44 years, Son of Chhotu Saw,
- 11. Surendra Saw, age about 24 years, Son of Kishun Saw

All are Resident of Village- Titahiyan, P.O.- Naitand, P.S.- Jainagar,
District- Koderma.

.... Appellants

Versus

- 1. The State of Jharkhand
- 2. Neetu Kumari wife of Indradeo Paswan, Resident of Village – Khagradih, P.O.- Naitand, P.S.-Jainagar, District – Koderma.

.... Respondents

CORAM: HON’BLE MR. JUSTICE RAJESH KUMAR

For the Appellants	: Mr. Manoj Kr. No.2, Adv.
For the State	: Mr. Sunil Kr. Dubey, A.P.P.
For the Respondent No.2	: Mr. Randhir Kumar, Adv.

10/Dated: 08th July, 2026

- 1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
- 2. Heard learned counsel for the appellants, learned counsel for the State and learned counsel for respondent No.2.
- 3. In pursuance of the order dated 29th June, 2026, the Investigating Officer namely Md. Samsuddin, Sub-Inspector, Jainagar Police Station is present before this Court.
- 4. The appeal has been filed against the impugned order dated 03.07.2025 in A.B.P. No.459 of 2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge, S.C. & S.T. (PoA) Act, Koderma in connection with Jainagar P.S. Case No.125 of 2015, registered for the offence under Sections 329(3), 318(4), 127(7)

& 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(1)(r)(s) of the SC/ST (PoA) Act. The case is presently pending in the court of the learned Additional Sessions Judge-I-cum-Special Judge, S.C. & S.T. (PoA) Act, Koderma.

5. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such embargo would not apply where no prima facie offence under the provisions of the Act is made out.

6. From the investigation done by the Investigating Officer, it appears that this is a vacant land and there is Shiva Temple and a statue of lord Bajrangbali is also constructed on that land.

7. It has been submitted by the learned counsel for the appellants that the land in question is *gair majurua* and the victim claimed that it has been given to him under the *Bhudaan Yagya Committee* and *Jamabandi* has also been created. Further, the appellants has given undertaking that they have no concern with the said piece of land either by ownership or by possession. Further, they undertake not to disturb the status of the land. On the above basis, the prayer for anticipatory bail has been made.

8. On the other hand, learned counsels for the State and the informant have opposed the prayer for bail.

9. Considering the above facts, the appellants, above named, are directed to surrender in the court below within four weeks from the date of receipt/ production of the copy of this order and in the event of their arrest or surrender, they shall be enlarged on bail, on their furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, S.C. & S.T. (PoA) Act, Koderma in connection with Jainagar P.S. Case No.125 of 2015 on the conditions as laid down under **Section 482 B.N.S.S., 2023**. Further, the appellants will not disturb the status of the land and submit self-attested photocopy of their Aadhaar Cards and also submit their mobile numbers before the learned court below which they will always keep active and will not change it during pendency of this case without prior permission of the court.

10. In the result, the instant appeal stands allowed and disposed of.

(Rajesh Kumar, J.)

Dated: 08th July, 2026

Amar/-

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