

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (SJ) No. 977 of 2025

- 1.Sanjit Tato @ Sanjit Kumar, aged about 31 years.
- 2.Sonu Tato @ Sonu Kumar, aged about 36 years.
- 3.Dhiraj Tato @ Dhiraj Kumar, aged about 26 years.

All sons of Vishnudeo Tato, resident of Vill.- Kukhi, Tola Nayakadih,
P.S.- Haidernagar, P.O.- Kukhi, Palamau, Jharkhand **Appellant(s)**
Vrs.

- 1.The State of Jharkhand
- 2.Jitendra Kumar, S/o Ayodhya Kumar Paswan, resident of vill-Kukhi, Tola Nayakadih, P.S.- Haidernagar, P.O.- Kukhi, Palamau, Jharkhand
..... **Respondent(s)**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s)	: Mr. Manoj Prasad, Advocate Mr. Jyoti Kumari, Advocate Ms. Muskan Jha, Advocate
For the State	: Bishwambhar Shashtri, Advocate

07/20.04.2026 The present appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. In spite of valid service of notice and filing of counter affidavit, nobody appears on behalf of the respondent no.2. Heard learned counsel for the appellants and learned counsel for the State.

3. The present appeal is directed against the order dated 19.08.2025 passed by the learned Special Judge SC/ST Act, Palamau in M.C.A. No. 1913 of 2025 arising out of Haidernagar P.S. Case No. 60 of 2025 registered for the offence under Section 126(2), 115(2), 118(1), 117(2), 109(1), 352 r/w 3(5) of BNS and Section 3(1)(e)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer of the appellants for grant of anticipatory bail has been rejected. The case is presently pending before the learned Additional District Judge-I-cum-Special Judge, SC/ST(POA), Act, Palamau.

4. Although the grant of anticipatory bail is barred under section 18 of the SC/ST (POA) Act, 1989 but learned counsel for the appellant has submitted by referring to Section 3(1)(e) that its ingredients are not present in the present case. So far as 3(1)(r)(s) is concerned, its ingredient is also not present since there was a general

fight between the parties. No reason of the dispute has been disclosed. Even if the allegation is taken on face value, the allegations are general and omnibus.

5. Learned counsel for the appellant has further submitted that so far as injury is concern, there is only one injury i.e., fracture of ring finger.

6. Learned counsel for the State has opposed the prayer for anticipatory bail. In spite of valid service of notice and filing of counter affidavit, nobody appears on behalf of the respondent no.2.

7. Having heard learned counsel for the parties and from perusal of the record and the allegation made, *prima facie*, it appears that ingredients of SC/ST Act are not present. Considering the nature of dispute and the nature of allegation made in the instant case, this Court is inclined to grant anticipatory bail to the appellants.

8. Accordingly, the appellants, above named, are directed to surrender before the learned Trial Court within a period of four weeks from the date of receipt/production of 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/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I-cum-Special Judge, SC/ST Act, Palamau in connection with Haidernagar P.S. Case No. 60 of 2025 on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellants will submit self-attested photo copy of their Aadhaar Card and also submit their mobile number before the learned trial court which they will always keep active and will not change it during pendency of this case without prior permission of the Court.

9. In the result, the present appeal is allowed.

(Rajesh Kumar, J.)

20.04.2026
A. Mohanty

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