

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (SJ) No. 980 of 2025

1. Binod Mistri, aged about 71 years, S/o Late Jhagar Mistri,
2. Tetri Devi, aged about 38 years, W/o Arun Mistri,
3. Shakuntalal Devi, aged about 62 years, W/o Binod Mistri,
4. Nilam Devi, aged about 35 years, W/o Upendra Mistri,
5. Rinki Devi, aged about 25 years, S/o Pradip Vishwakarma, All R/o vill. Chhattarpur, PO & PS-Chhattarpur, District- Palamau, Jharkhand

..... **Appellant(s)**

Vrs.

1. The State of Jharkhand
2. Surji Devi, W/o Sudarshan Ram, Resident of R/o At- Sonar Mohalla, Chhattarpur, P.O & P.S.- Chhattarpur, District- Palamau, Jharkhand

..... **Respondent(s)**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Sheo Kumar Singh, Advocate

For the Respondent no.2 : Mr. Sudhanshu Shekhar, Advocate

04/21.04.2026 The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard learned counsel for the appellants and learned counsel for the respondent no.2-victim.

3. The present appeal is directed against the order dated 16.10.2025 passed by the learned Special Judge, SC/ST (POA) Act, Palamau in connection with MCA No. 2243 of 2025 arising out of Chhattarpur P.S. Case No. 114 of 2022 in connection with SC/ST Case No. 85 of 2022 registered for the offence under Section 147,148,149,342,323,324,307,452,504,506,509 of the IPC; Section 3/4 of the Prevention of Witch (Daain) Practices Act, 2001 and Section 3(1)(x) 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 court of learned Special Judge, SC/ST(POA)Act, Palamau.

4. It has been submitted by the learned counsel for the appellants that it is a merely neighbourhood dispute over a nala and further ingredients of SC/ST Act is not present and the alleged incident has not taken place within the public view. The F.I.R. itself suggests that the incident is about scuffle between two neighbours. It has been

further submitted by learned counsel for the appellant that it is even not disclosed in the F.I.R that victim is a member of Scheduled Caste community. On the above basis, prayer for anticipatory bail has been made.

5. On the other hand, learned counsel for the victim (respondent no.2) has opposed the prayer for grant of anticipatory bail and submitted that the victims are the member of Scheduled Caste community and they have been abused.

6. Having heard learned counsel for the parties and from perusal of the F.I.R, it appears that there was simple scuffle between the parties over the dispute of nala and they are neighbour. No ingredient of SC/ST Act is made out.

7. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the appellant.

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 Special Judge, SC/ST (POA)Act, Palamau in connection with SC/ST Case No. 85 of 2022 arising out of Chhattarpur P.S. Case No. 114 of 2022 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.)

21.04.2026
A. Mohanty

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