

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.1071 of 2025

Dharamjeet Kumar Malakar @ Tinku, aged about 32 years, S/o- Sri
Ramadhin Prasad Malakar, Resident of Village- Konartoli, Dibdih,
P.O.- Doranda, P.S.- Doranda, District- Ranchi, (Jharkhand)

... Appellant

Versus

1. The State of Jharkhand

2. Prosecutrix

... Respondents

For the Appellant : Mr. Prafful Kumar, Advocate
For the State : Ms. Shweta Singh, Addl. P.P.

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- Heard the parties.

2. This Criminal Appeal (SJ) has been filed under Section 14A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act with the prayer to set aside the order dated 16.10.2025 passed in A.B.P. No.2717 of 2025 by the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi, by which the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi has rejected the prayer for Anticipatory Bail of the appellant.

3. The allegation against the appellant is that the appellant has committed rape upon the prosecutrix by adopting deceitful means and also committed unnatural offence with the victim. There is further allegation that the appellant cheated the informant of Rs.2,50,000/-, gold and silver jewelry by deceiving the informant and induced her to

part with the same; with the false promise of marriage. There is further allegation against the appellant of intentionally insulting the informant by abusing the informant by her caste name in a place within public view and intimidated her to humiliate her and also intentionally touching the informant of a sexual manner without her consent. On the basis of the written-report submitted by the informant, police registered Ranchi SC/ST P.S. Case No.24 of 2025 and took up the investigation of the case.

4. Learned counsel for the appellant submits that the appellant does not know whether the investigation of the case is already over or not and whether charge-sheet has been submitted against the appellant or not. The appellant filed a petition for grant of Anticipatory Bail but the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi upon considering the serious nature of allegation against the appellant, rejected his prayer for grant of Anticipatory Bail. It is next submitted that the allegations against the appellant are false. It is further submitted that the appellant arranged a rented accommodation for the informant. The informant first borrowed Rs.2,000/- and thereafter Rs.20,000/- from the appellant and made relation with the family members of the appellant and when the appellant demanded back his money borrowed by the informant, the informant threatened the appellant to implicate him in a false case. It is then submitted that the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi failed to consider that there is no specific allegation against the appellant, hence,

it ought not have rejected the prayer for anticipatory bail of the appellant. Hence, it is submitted that the prayer of the appellant, made in the instant Criminal Appeal, be allowed.

5. Learned Addl. P. P. appearing for the State on the other hand vehemently opposes the prayer of the appellant and submits that there is direct and specific allegation against the appellant of committing rape upon the informant/victim. Further, there is allegation against the appellant of committing cheating by deceiving the informant to believe that he will marry her and inducing her to part with Rs.2,50,000/- and gold and silver ornaments. Besides, there is allegation against the appellant of intentionally insulting and intimidating the member of a Scheduled Caste and touching her without her consent in a manner which was of sexual nature knowing that the informant is a member of Scheduled Caste and also abusing the informant by taking her caste name. In view of serious nature of allegations against the appellant and keeping in view the requirement of custodial interrogation of the appellant during the investigation of the case, the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi has rejected the prayer for anticipatory bail of the appellant. Hence, it is submitted that this Criminal Appeal, being without any merit, be dismissed.

6. Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, this Court finds that there is direct and specific allegation against the appellant of committing rape upon the informant. There is also direct and specific

allegation against the appellant of cheating the informant by deceiving her and inducing her to part with Rs.2,50,000/- as well as the gold and silver ornaments. Further, there is direct and specific allegation against the appellant of committing the offence in respect of the penal provisions of Section 3 (1) (r), 3 (1) (s), 3 (1) (w) (i) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

7. Keeping in view the serious nature of allegation against the appellant as well as the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that no illegality has been committed by the learned A.J.C.- XVIII-cum-Special Judge, SC/ST Act, Ranchi in rejecting the prayer for anticipatory bail of the appellant vide order dated 16.10.2025 passed in A.B.P. No.2717 of 2025 warranting interference of this Court in exercise of its power under Section 14 A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

8. Accordingly, this Criminal Appeal (SJ), being without any merit, is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 25th of March, 2026
AFR/ Animesh
Uploaded on- 26/03/2026