

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No. 781 of 2024

1.Daljeet Kumar @ Daljeet Chauhan @ Jeeta @ D.K.
Chouhan

2.Kamaljeet Kaur Appellants

Versus

1.The State of Jharkhand

2.Gita Kumari Paswan Respondents

With

Criminal Appeal (S.J.) No. 498 of 2024

1.Sujata Devi

2.Sahil Kumar

3.Tilak Raj Sharma Appellants

Versus

1.The State of Jharkhand

2.Victim Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. A.K. Chaturvedi, Advocate

For the State : Mr. A.K. Tiwari, A.P.P.

For the Resp.No.2 : Mr. B.R. Rochan, Advocate

ORAL ORDER IN COURT

07/15.09.2025

1. Criminal Appeal (S.J.) No. 781 of 2024 has been filed on behalf of the appellants challenging the order dated 11.11.2024, passed in A.B.P. No. 351 of 2024, by the learned Additional Sessions Judge-I-cum-Spl. Judge, S.C./S.T., Ramgarh by which prayer for anticipatory bail made on behalf of the appellants, namely Daljeet Kumar @ Daljeet Chauhan @ Jeeta @ D.K. Chouhan and Kamaljeet Kaur has been rejected.

Criminal Appeal (S.J.) No. 498 of 2024 has been filed on behalf of the appellants challenging the order dated 11.03.2025, passed in A.B.P. No. 113 of

2025, by the learned Additional Sessions Judge-I-cum-Spl. Judge, S.C./S.T., Ramgarh by which prayer for anticipatory bail made on behalf of the appellants, namely Sujata Devi, Sahil Kumar and Tilak Raj Sharma has been rejected.

Both A.B.P. No. 351 of 2024 and A.B.P. No. 113 of 2025 were filed in connection with SC/ST Complaint Case No. 04 of 2023, pending in the Court of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Ramgarh, instituted for the offences under Sections 376, 323, 498-A, 494, 506 and 34 of I.P.C, Section 3(U), 3(W), 3ZC, 3(Z) (V) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, however, cognizance has been taken under Sections 323, 498-A and 506 of I.P.C. and Section 3(1)(r), 2(1)(s) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Heard Mr. A.K. Chaturvedi, learned counsel for the appellants and Mr. A.K. Tiwari, learned A.P.P. appearing for the State and Mr. B.R. Rochan, learned counsel for the Respondent No.2.

3. It is submitted that the impugned orders passed by the learned Court below rejecting the anticipatory bail of the appellants are illegal and not sustainable in law.

It is submitted that the appellants are innocent and have not committed any offence as alleged in the complaint case and they have been falsely implicated in the instant case.

It is submitted that from the complaint case it is evident that the complainant had solemnized love marriage with co-accused Debesh Kumar in the year

2019 and the present complaint case has been filed in the year 2023 after four years of the alleged occurrence and the entire allegation are false and concocted.

It is submitted that the Appellant No. 1 and Appellant No.2 of Cr.Appeal (S.J.) No. 781 of 2024 are the father-in-law (Chacha Sasur) and mother-in-law (Chachi Saas) respectively of the complainant and live separately at Bachra.

It is submitted that the Appellant No.1 and Appellant No.2 of Cr.Appeal (S.J.) No. 498 of 2024 are own Mother-in-law and Brother-in-law of the complainant respectively and Appellant No.3 of Cr.Appeal (S.J.) No. 498 of 2024 is the Maternal Uncle of the Co-accused Debesh Kumar, i.e. the husband (i.e. the appellant of Cr.Appeal (S.J.) No. 630 of 2025) and they also live separately having nothing to do with the internal affairs of co-accused Debesh Kumar and the complainant. It is submitted that the co-accused Debesh Kumar is also ready to settle the dispute with the complainant.

It is submitted that the appellants neither had any knowledge of the love marriage between accused Debesh Kumar and the Complainant nor they participated in their marriage ceremony and the entire allegation is made with ulterior motive.

It is submitted that the appellants had neither visited the house of the complainant on 22.11.2022 nor offered her money not to raise any objection in solemnization of second marriage of co-accused Debesh Kumar.

It is submitted that the allegations against the appellants are general and omnibus and not specific.

It is submitted that the allegation of not allowing the complainant to enter into her matrimonial house and taking her caste name is false and concocted and hence, the appellants may be granted Anticipatory Bail.

4. On the other hand, learned A.P.P. in both the cases has opposed the prayer for bail.

5. Learned counsel for the Complainant has raised some formal objection, but submitted that the Complainant is ready for settlement with her husband, i.e. co-accused Debeshh Kumar, however, it is further submitted that the present appellants have also abused the complainant in the name of her caste.

6. Perused the F.I.R. and the Case Diary and considered the submission of both sides.

7. It transpires that there is no inducement on the part of the appellants, rather the co-accused Debesh Kumar, i.e. the appellant in Criminal Appeal (S.J.) No. 630 of 2025, who is the husband of the complainant has induced her to establish physical relationship with him on the pretext of marriage.

8. It appears that both the parties, i.e. the Complainant and the co-accused Debesh Kumar, i.e. the appellant of Cr. Appeal (S.J.) No. 630 of 2025 lived as husband and wife from the year 2019 to 2023 and as submitted by learned counsel for both sides, that the Complainant and her husband, i.e. the co-accused Debesh Kumar are ready to settle the dispute between them.

The above Criminal Appeal (S.J.) No. 630 of 2025 is also listed today.

9. It appears that the appellants are relatives of the husband of the Complainant and they do not live in

the same house with co-accused Debesh Kumar, i.e. husband of the Complainant.

10. In view of the above discussions and taking a lenient view, the appellants, namely Daljeet Kumar @ Daljeet Chauhan @ Jeeta @ D.K. Chouhan and Kamaljeet Kaur, i.e. appellants in Cr. Appeal (S.J.) No. 781 of 2024 and Sujata Devi, Sahil Kumar and Tilak Raj Sharma, i.e. the appellants of Cr. Appeal (S.J.) No. 498 of 2024 are directed to surrender before the learned Court below within Six (06) weeks from today and in the event of their arrest or surrender, the appellants shall be released on anticipatory bail, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each in connection with SC/ST Complaint Case No. 04 of 2023, to the satisfaction of the Court of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Ramgarh and also subject to the provisions of Section 482 (2) of B.N.S.S.

11. Accordingly, the order dated 11.11.2024, passed in A.B.P. No. 351 of 2024 and the order dated 11.03.2025, passed in A.B.P. No. 113 of 2025, by the learned Additional Sessions Judge-I-cum-Spl. Judge, S.C./S.T., Ramgarh are set aside.

12. Thus, these Criminal Appeal (S.J.) No. 781 of 2024 and Criminal Appeal (S.J.) No. 498 of 2024 are allowed.

(Sanjay Prasad, J.)

s.m.