IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 130 of 2026

Md. Mustak Alam, aged about 42 years, S/o Sirajuddin Miyan, R/o Parwej Colony, Khijur Tola, P.O.-Booti, P.S.-Sadar, District-Ranchi
.... …. Appellant

Versus

1. The State of Jharkhand
2. Goinda Oraon, S/o Karma Oraon, R/o Lane-Basti, Baragain, P.O.-Lem Baragain, P.S.- Sadar, District-Ranchi
.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Niranjan Kumar, Advocate
For the State : Mr. Manoj Kumar Mishra, A.P.P.
For the Informant/Victim : Mr. Mohammad Asghar, Amicus Curiae

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Order No.03 / Dated : 28.07.2026.

1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Heard learned counsel for the appellant, learned counsel for the State and the learned Amicus for the respondent No.2/victim.
3. Pursuant to the order dated 21.07.2026, Mr. Vijay Kumar Das, Circle Officer, Baragain, Ranchi is present before this Court.
4. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such bar would not apply in case where no prima facie offence under the Act is made out.
5. The present appeal has been filed against the order dated 18.12.2025 passed by the learned Additional Judicial Commissioner-II, Ranchi, rejecting the prayer for anticipatory bail in A.B.P No.3327 of 2025 in connection with SC/ST P. S Case No.74 of 2025, registered for the offence under Sections 126(2), 115(2), 329(3), 352, 351(3) and 3(5) of the BNS, 2023 and Section 3(1)(r)(s)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The case is presently pending in the Court of learned Additional Judicial Commissioner-II, Ranchi.
6. So far as the status of the land is concerned, it is a non-aadiwasi khatiyani land, but on the basis of deed of the year 1947 one of the victim/aadiwasi has having title over the said land, but that has been acted upon by the parties either by entering into Register-II or in the terms of physical possession. Thus, it is a pure land dispute between the parties.

7. Learned counsel for the State and the learned Amicus for the respondent No.2 have opposed the prayer for anticipatory bail.
8. Considering the above fact, I am inclined to grant anticipatory bail to the appellant. Accordingly, the appellant, named above, is directed to surrender in the trial court within four weeks from the date of receipt/production of a copy of this order, and in the event of his arrest or surrender, he shall be enlarged on anticipatory bail, on his furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Judicial Commissioner-II, Ranchi, in connection with SC/ST P. S Case No.74 of 2025, on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellant(s) will submit self-attested photocopy of his /her/their Aadhaar Card(s) and also submit his/her/their mobile number(s) before the learned trial court which he/she/they will always keep active and will not change it without prior permission of the court, till conclusion of the trial.
9. In the result, the present criminal appeal stands allowed and accordingly, disposed of.
10. The assistance given by Mr. Vijay Kumar Das, Circle Officer, Baragain, Ranchi, is hereby appreciated and his personal appearance is dispensed with.
11. The assistance given by Mr. Mohammad Asghar, Amicus Curiae is highly appreciated.
12. Let this order be communicated to the learned Member Secretary, JHALSA, Ranchi, for the purpose of remuneration to be paid to the learned Amicus Curiae as permissible.

(**Rajesh Kumar, J.**)

28.07.2026
Pawan/
Uploaded on 30.07.2026