IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.203 of 2026

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1. Kawish Raza, aged about 32 years Son of Md. Hammad Alam, resident of Jainthgarh Muslim Basti, P.O. Jainthgarh, P.S. Jagannathpur, District Singhbhum (West)
2. Md. Faijan aged about 28 years, Son of Md. Sultan, resident of Ali Nagar Champua, P.O. & P.S. Champua, District Keonjhor (Odisha)

…. …. Appellant(s)

-Versus-

1. The State of Jharkhand
2. Satyapal Behera, Son of Bipin Behera, Resident of Village Chanpada Jainthgarh, P.O. Jainthgarh, P.S. Jagannathpur, District Singhbhum (West)

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Ms. Arun Kumar, Adv.
Mr. Samrat Sinha, Adv.
For the State : Mr. Rajesh Kumar, A.P.P
For the Respondent No.2 : Mr. Madhav Prasad, Adv.

04/Dated: 21st July, 2026

1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. At the very outset, learned counsel for the appellants does not want to press the present criminal appeal on behalf of the appellant No.1 namely, Kawish Raza as he has been arrested and subsequently, he had already been enlarged on bail by the Court below itself. Now, he wants to press this appeal only on behalf of the appellant No.2 namely, Md. Faijan.

3. Heard learned counsel for the appellants, learned counsel for the State and the learned counsel for the respondent No.2/victim.

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 03.02.2026 passed by the learned Additional Sessions Judge-I, West Singhbhum at Chaibasa, in A.B.P No.05 of 2026 in connection with Jagannathpur P.S. Case No.68 of 2025, registered for the offence under Sections 126(2), 115(2), 352, 351(2), 3(5) of the B.N.S, 2023 and Section 3(1)(r)/3(1)(s) of the Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby and whereunder the prayer for grant of anticipatory bail of the appellants have been rejected. The case is presently pending in the Court of learned Special Judge (SC/ST Act), West Singhbum at Chaibasa.

6. It has been submitted by the learned counsel for the appellants that the appellant No.2 has wrongly been implicated in the present case as he is merely driver of the alleged vehicle. On the above basis, prayer for anticipatory bail has been made.

7. Learned counsel for the State and the learned counsel for the respondent No.2 have opposed the prayer for anticipatory bail.

8. From perusal of the allegation it suggests that it is in a political arena, in which, some scuffle and dispute have arisen between the parties.

9. Considering the above facts, 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*) with two sureties of the like amount each, to the satisfaction of learned Special Judge (SC/ST Act), West Singhbum at Chaibasa in connection with Jagannathpur P.S. Case No.68 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 case.

10. In the result, the present criminal appeal stands allowed and accordingly, disposed of.

(Rajesh Kumar, J.)

Dated: 21st July, 2026
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