IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (SJ) No. 407 of 2026

Abhay Naresh Thakur @ Naresh Thakur, aged about 42 years, S/o Birendra Nath Thakur, resident of B-6, Chandra Vihar Colony, Dhaiya Road, Dhanbad, P.O.- Barwanda , P.S. & District- Dhanbad

…..... **Appellant(s)**

Vrs.

1. State of Jharkhand
2.Surbala Bhringraj D/o Balku Bhringraj, resident of Saraidhela, P.O. & P.s.- Saraidhela, District-Dhanbad ..... **Respondent(s)**

…....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Navin Kumar Singh, Advocate
For the State : Mr. Santosh Kr. Shukla, A.P.P.

02/17.06.2026 The present appeal has been filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard learned counsel for the appellant and learned counsel for the State.

3. The present appeal is directed against the order dated 16.04.2026 passed by the learned Additional Sessions Judge-1st -cum-Special Judge, SC/ST(POA) Act, Dhanbad in M.C.A. No. 750 of 2026 arising out of Saraidhela P.S. Case No. 65 of 2026, registered for the offence under Section 132,74,115(2) of the BNS, 2023 and Section 3(2)(x) of the SC/ST (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer of the appellant for grant of regular bail has been rejected. The case is presently pending before the court of learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST (POA) Act, Dhanbad.

4. It appears from the counter affidavit filed on behalf of the State that notice was served upon the alleged victim who is Officer In-charge, Women and Child Protection Police Station, Baghmara, Dhanbad on 12.05.2026 but she has not participated in the proceeding inspite of service of notice.

5. It has been submitted by the learned counsel for the appellant that appellant is in custody since 09.04.2026. It has been submitted by learned counsel for the appellant that appellant had made complaint

that a fraud has been committed upon him by the Bank. Upon his information he has been asked to appear before the Investigating Officer i.e., the victim. The appellant could not appear on two dates and assigned reason for it. However, it appears that thereafter there was some hot discussion upon which the case has been lodged by the Investigating Officer itself against the informant, who happens to be an Advocate. It has been submitted by the learned counsel for the appellant that it is nothing but misuse of power. He has been crushed being the informant of the fraud.

6. On the other hand, learned counsel the State has opposed the prayer for grant of bail.

7. Having heard learned counsel for the parties and on perusal of the materials on record, it appears that despite valid service of notice, the victim has not appeared in the case.

8. Considering the above fact and the period of custody, I am inclined to enlarge the appellant on bail.

9. Accordingly, the appellant, named above, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST (POA) Act, Dhanbad in connection with Saraidhela P.S. Case No. 65 of 2026, subject to condition that the appellant(s) will submit self-attested photocopy/photocopies 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 during pendency of this case without prior permission of the court.

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

(Rajesh Kumar, J.)

17.06.2026
A. Mohanty

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