2026:JHHC:26604

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No.475 of 2026

Aniket Sahu, aged about 23 years, son of Raj Kumar Sahu, resident of Village Kasira, Post Office Gumla, Police Station & District Gumla (Jharkhand) ….. **Appellant.**

Versus

1. The State of Jharkhand
2. Victim ..... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Ritesh Kumar, Advocate
For the State : Mrs. Priya Shrestha, Spl.PP
For the Resp. No.2 : Mrs. Shipi Sandil Gadodia, Advocate
Mr. Anish Lal, Advocate
Ms. Laxmi Kumari, Advocate

Order No.03/ Dated: 2nd September, 2026

1. Heard learned counsel for the appellant, learned Spl.PP and learned counsel for the respondent No.2/ victim.

2. The present appeal has been filed under Section 14-A (2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Amendment Act, for grant of anticipatory bail though the same bars under Section 18 of the SC/ST (POA) Act.

The present appeal has been filed against the order dated 06.04.2026, passed by the court of learned Additional Sessions Judge-I-cum-Special Judge, Gumla in A.B.P No.138 of 2026, whereby the prayer for grant of anticipatory bail to the appellant has been rejected in connection with SC/ST Gumla P.S. Case No.01 of 2026, registered for the offence under Sections 126(2), 115(2), 69, 318(2), 351(2), 3(5) of the B.N.S., 2023 and Sections 3(1)(r), 3(1)(s), 2(1)(w)(i), 3(1)(w)(ii) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. It has been submitted by the learned counsel for the appellant that there was marriage between the parties and, thereafter, they have

decided to live separate and money has also been transacted, for that purpose, he has solemn the agreement, which has been called for record as Annexure-2. On the above basis, it has been submitted that that no offence is made out, as such, the anticipatory bail is maintainable, hence he is entitled for anticipatory bail.

4. Learned A.P.P. and learned counsel for the respondent No.2 have opposed the prayer for anticipatory bail and submitted that she is a member of the weaker section of society having no parents. She has been exploited and the so-called agreement is by force rather no marriage has taken place as has been disclosed in the FIR itself. It is nothing but exploitation of a member of weaker section of the society.

5. Considering the nature of allegation, offence under the SC/ST Act is clearly made out and once the offence is made out, Section 18 of the Act gets attracted. In that view of the matter, I am not inclined to enlarge the appellant on bail.

6. In the result, the appeal is, hereby, dismissed and, accordingly, disposed of.

(Rajesh Kumar, J.)

2nd September, 2026
Madhav/-
Uploaded on:03.09.2026