IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (SJ) No. 267 of 2025

Brindaban Kumar Mahato @ Brindavan Kumar Mahato aged about 30 years son of Rishikesh Mahato, resident of Village-Ward No. 52, Surendra Ground, Chas Nala, Mahto Basti, P.O. & P.S.- Chas Nala, District- Dhanbad

…..... **Appellant(s)**

Vrs.

1.The State of Jharkhand
2.Manjula Devi, wife of Sripati Rajwar, resident of village- Bhatuwa, P.O.- Baidhmara, P.S. Harla, District- Bokaro ..... **Respondent(s)**

…....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Shree Nivas Roy, Advocate
For the Respondent no.2 : Mr. Tarun Kr. Mahto, Advocate
For the State : Mr. Sanjay Kr. Srivastava, A.P.P.

09/22.04.2026 The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

2. Heard learned counsel for the appellant and learned counsel for the respondent no.2.-informant as well as learned counsel for the State.

3. The present appeal is directed against the order dated 12.12.2024 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Bokaro in A.B.P. No. 1176 of 2024 arising out of Sector-IV (SC/ST) P.S. Case No. 44 of 2023 registered for the offence under Section 323,341,406,420,120B/34 of the IPC and Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer of the appellant for grant of anticipatory bail has been rejected. The case is presently pending before the court of learned Additional Sessions Judge-I-cum-Special Judge, Bokaro.

4. It has been submitted by learned counsel for the appellant is that no offence under the SC/ST Act is made out rather it is a case for recovery of the alleged amount. As per the allegation it is contractual relationship between both the parties for sale and purchase of the vehicle owned by the appellant. At best it is a breach of contract, even as per the allegation.

5. On the other hand, learned counsel for the informant (respondent no.2) and the State have opposed the prayer for grant of anticipatory bail and submitted that informant party have been abused and thus offence under section 3(1)(r) and 3(1)(s) gets attracted and therefore, Section 18

of the SC/ST Act comes into play.

6. Having heard learned counsel for the parties and from perusal of the allegations, it appears that it is nothing but an attempt to recover the contractual dues.

7. In that view of the matter, this Court is inclined to grant anticipatory bail to the appellant.

8. Accordingly, the appellant, above named, is directed to surrender before the learned Trial Court within a period of four weeks from the date of receipt/production of copy of this order and in the event of his arrest or surrender, he shall be enlarged on bail, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only)with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Bokaro in connection with Sector-IV (SC/ST) P.S. Case No. 44 of 2023 on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellant will submit self-attested photo copy of his Aadhaar Card and also submit his mobile number before the learned trial court which he will always keep active and will not change it during pendency of this case without prior permission of the Court.

9. In the result, the present appeal is allowed.

(Rajesh Kumar, J.)

22.04.2026
A. Mohanty

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