2026:JHHC:26861

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No.552 of 2026

Rahul Kumar Sharma @ Rahul, aged about 21 Years, S/o Bhrigu Ram Sharma, R/o village Tiyara, P.O. Dudhigajar, P.S. Chas (M), District Bokaro, Jharkhand..... **Appellant.**

Versus

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

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Baibhaw Gahlaut Advocate
For the State : Mrs. Anuradha Sahay, A.P.P
For the Resp. No.2 : Ms. Ishani Sen, *Amicus Curiae*

Order No.04/ Dated: 07th September, 2026

1. Heard learned counsel for the appellant, learned A.P.P and learned *amicus curiae* appearing for the respondent No.2/ victim.

2. The present appeal has been filed under Section 14-A of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 [in short SC/ST (POA) 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, Bokaro, in A.B.P No.125 of 2026, whereby the prayer for grant of anticipatory bail to the appellant has been rejected in connection with Chas (M) P.S. Case No.08 of 2026, registered for the offence under Sections 190/ 191(2)/ 191(3)/ 74/ 76/ 126(2)/ 127(2)/ 118(1)/ 118(2)/ 109(1)/ 303(2)/ 351(2)/ 352 of the BNS, 2023 and Sections 3(1)(r)/ 3(1)(s)/ 3(1)(x) of the SC/ST (POA) Act.

3. It has been submitted by the learned counsel for the appellant that the informant, in her application, has alleged that 100/ 150 persons have committed the alleged crime, but in the F.I.R only 11 named and 01 unnamed have been shown as accused. The present appellant has been roped in the present case during the investigation on the basis of

confession. It has further been submitted that there is general and omnibus allegation against 100/ 150 persons. The appellant is a young students of Class-XII having no criminal antecedent. On the above basis, prayer for anticipatory bail has been made.

4. Learned counsel for the State and learned *amicus curiae*, appearing for the respondent No.2/ victim, have opposed the prayer for grant of anticipatory bail. It has been submitted that once the offence under the SC/ ST (POA) Act is made out, then Section 18 of the said Act gets attracted.

5. Having heard learned counsel for the parties and from perusal of record, it appears that there is no substantial material against this appellant.

Considering the above fact and the fact that the appellant is a student, I am inclined to grant the privilege of anticipatory bail to the appellant. Accordingly, The appellant is directed to surrender in the court below within four weeks from the date of receipt/ production of the 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/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge – I -cum Special Judge, Bokaro, in connection with Chas (M) P.S. Case No.08 of 2026, on the conditions as laid down under **Section 482 of the B.N.S.S., 2023**. Further, the appellant will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned court below which he will always keep active and will not change it during pendency of the case without prior permission of the court.

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

7. Let this order be communicated to the learned Member Secretary, JHALSA, Ranchi, for the purpose of remuneration to be paid to the *amicus curiae*, as admissible.

(Rajesh Kumar, J.)

07th September, 2026
Ravi-Chandan/-
Uploaded on 08.09.2026