IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.611 of 2026

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1. Vivek Gope, aged about 23 years, Son of Ray Gope
2. Rahul Gope, aged about 20 years, Son of Deepak Gope
3. Sukumar Gope, aged about 24 years, Son of Lucky Gope
4. Tapas Kumar Gope, aged about 29 years, Son of Bhupati Gope
5. Dulal Nayak, aged about 27 years, Son of Dev Nayak
All resident of Village Bagalpara, Haldipokhar, P.O. Haldipokhar, P.S. Kowali, District East Singhbhum **…. …. Appellant(s)**

-Versus-

1. The State of Jharkhand
2. Arjun Sardar, Son of Late Girish Sardar, resident of Haldipokhar, Tola Bhiladi, P.O. & P.S. Kawali, District East Singhbhum

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Shravan Kumar, Adv.
For the State : Mr. Shardhu Mahto, A.P.P
For the Respondent No.2 : Mr. N.S. Mukherjee, Adv.

03/Dated: 07th September, 2026

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

2. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 [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 22.04.2026 passed by the learned Additional Sessions Judge-I-cum-Special Judge SC/ST (PoA) Act, Jamshedpur in A.B.P No.422 of 2026 in connection with Potka P.S. Case No.09 of 2026, for the offence under Sections 126(2), 115(2), 118(2), 109(1), 352, 351(2), 351(3) & 3(5) of the BNS, 2023 and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The case is pending in the court of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (PoA) Act, Jamshedpur.

3. It has been submitted by the learned counsel for the appellants that the scuffle has taken place between the parties due to spitting. As per the content of

the F.I.R itself, the parties were unknown to each other, and as such, the caste of the accused persons were not known. For the offence under SC/ST (PoA) Act, the caste to the victim as well as of the accused should be known. On that basis, prayer for anticipatory bail has been made.

4. Learned counsel for the State and learned counsel for the respondent No.2 have opposed the prayer for anticipatory bail of the appellants by stating that the offence under the SC/ST (PoA) Act is made out.

5. Considering the reason for scuffle between the parties and the fact that caste of the accused persons were not known as they were unknown, I am inclined to grant the privilege of anticipatory bail to the appellants. Accordingly, the appellants, named above, are 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 their arrest or surrender, they shall be enlarged on anticipatory bail, on their furnishing bail bond of Rs.10,000/- (*Rs. Ten Thousand*) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (PoA) Act, Jamshedpur in connection with Potka P.S. Case No.09 of 2026, on the conditions as laid down under Section ***482 of the B.N.S.S., 2023***. Further, the appellants 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.

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

(Rajesh Kumar, J.)

Dated: 07th September, 2026
Raja/- Uploaded on 07.09.2026