**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Cr. Appeal (S.J.) No. 557 of 2026**
**------**

1. Pankaj @ Pankaj Kumar @ Chhotu Sao aged about 32 years.
2. Kamlesh @ Kamlesh Kumar @ Kamlesh Sao, aged about 23 years
3. Ranjan Sao @ Bhatuwa Sao, aged about 28 years, all are the sons of Biran Saw @ Bisrain Sao and all are the residents of Road No.4, Sao Line, Near T.K. Tower, Daiguttu, P.S.-Mango, P.O.-Mango, Jamshedpur, District-East Singhbhum.

.... .... …. Appellants

Versus

1. The State of Jharkhand
2. Nimai Murmu, aged 40 years, S/o Pogra Murmu, R/o Daiguttu, Kaveri Road, Near Jahnda Singh School, P.O. + P.S.-Mango, Mango, Jamshedpur, District-East Singhbhum.

.... .... .... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR**

For the Appellants : Mr. Krishna Murari Singh, Adv.
Mr. Avnish Prakhar, Adv.
Mr. Vansh Sabhlok, Adv.
Mr. Harsit Shekhar, Adv.
For the State : Mr. Abhay Kr. Tiwari, APP
For the Informant/Victim : Mr. Shubhashis Rasik Soren, Adv.

**------**

**Order No.04 / Dated : 02.09.2026**.

1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. Heard learned counsel for the appellants, learned counsel for the State and learned counsel for the respondent No.2/victim.
3. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such bar would not apply in case where no *prima facie* offence under the Act is made out.
4. The present appeal has been filed against the order dated 15.04.2026 passed by the learned Additional Sessions Judge-cum-Special Judge, SC/ST(POA) Act, Jamshedpur in A.B.P No.364 of 2026 in connection with Mango P.S. Case No.211 of 2025, for the offences under Sections 115(2), 117(2), 109(1), 3(5), 332(c) & 333 of BNS, 2023 and Sections 3(1) (f), 3(1) (g), 3 (1) (u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of anticipatory bail of the appellants has been rejected. The case is presently pending in the Court of learned Additional Sessions Judge-

cum-special Judge, SC/ST (PoA) Act, Jamshedpur.

5. It has been submitted by the learned counsel for the appellants that it is not in a public view and as such, no offence under the SC/ST Act is made out. On the above basis, prayer for anticipatory bail has been made.

6. On the other hand, learned counsel for the State and the learned counsel for the victim have opposed the prayer for grant of anticipatory bail. Reference of Sections 3(2)(va) and 8(c) of the SC/ST Act has been made, which are quoted herein below: -

***"3. Punishment for offences of atrocities. –***
*(1) …….*
***(2) (va)*** *commits any offence specified in the Schedule, against a person or property, knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with such punishment as specified under the Indian Penal Code for such offences and shall also be liable to fine."*
***8. Presumption as to offences. In a prosecution for an offence under this Chapter, if it is proved that-***
*(a) …….*
*(b) …….*
***(c)*** *the accused was having personal knowledge of the victim or his family, the Court shall presume that the accused was aware of the caste or tribal identity of the victim, unless the contrary is proved."*

7. Having heard the learned counsel for the parties and on perusal of the record, it appears that the parties are known to each other and scheduled offence is made out and as such, section 18 of the SC/ST Act gets attracted.

8. Considering the above facts, I am not inclined to grant privilege of anticipatory bail to the appellants. Accordingly, the present criminal appeal is, hereby, dismissed.

**(Rajesh Kumar, J.)**

**02.09.2026**
**Pawan/**
**Uploaded on 07.09.2026**