IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 657 of 2026

Tabrez Ansari, aged about 40 years, S/o Salim Ansari R/o Village-Nagri, Muslim Tola, P.O.- Bukru, P.S.-Kanke, District-Ranchi, Jharkhand
.... …. Appellant

Versus

1. The State of Jharkhand
2. Shukro Kumari, S/o Late Bhola Oraon, R/o Nagri, Bukru, P.O. & P.S. Kanke, District-Ranchi, Jharkhand

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Mohit Kumar, Adv.
Mr. Abhinav Kumar, Adv.
For the State : Mrs. S.K. Sinha, APP
For the Informant/Victim : Mr. Binod Kumar, Adv.
Ms. Nanda Kumari, Adv.

Order No.03 / Dated : 07.09.2026.

1. The present appeal has been filed under Section 14 (1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. Heard learned counsel for the appellant, learned counsel for the State and the 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 10.04.2026 passed by the learned AJC-II-cum-Spl. Judge, SC/ST Act, Ranchi in A.B.P No.03 of 2026 in connection with Kanke P.S. Case No.76 of 2025, registered for the offences under Sections 191(2), 191(3), 190, 115(2), 324(6), 333, 352, 351(2), 79 of the BNS, 2023 and Sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for grant of anticipatory bail of the appellant has been rejected. The case is presently pending in the Court of learned AJC-II-cum-Spl. Judge SC/ST Act, Ranchi.
5. It has been submitted by the learned counsel for the appellant that the appellant is not named in the FIR and he has been subsequently roped in this case as he is brother of one of the accused namely, Firoj Ansari. It has also been submitted that some of the accused are members of scheduled

tribe community. Law is settled that for launching a case under the SC/ST Act, the victim must be a member of the protected community and the accused must be non-member of the protected community. On the above basis, prayer for anticipatory bail has been made.

6. Learned counsel for the State and the learned counsel for the respondent No.2 have opposed the prayer for anticipatory bail.
7. Having heard the learned counsel for the parties and on perusal of the record, it appears that the appellant is not named in the FIR and further, some of the named accused are members of the protected community which otherwise is not permissible for launching of the SC/ST case.
8. Considering the above facts, I am inclined to grant anticipatory bail to the appellant. Accordingly, the appellant, named above, is 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 his arrest or surrender, he shall be enlarged on anticipatory bail, on his furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned AJC-II-cum-Spl. Judge, SC/ST Act, Ranchi, in connection with Kanke P.S. Case No.76 of 2025, on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellant(s) 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.
9. In the result, the present criminal appeal stands allowed and accordingly, disposed of.

(**Rajesh Kumar, J.**)

07.09.2026
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Uploaded on 09.09.2026