IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 701 of 2026

Anitesh Yadav @ Antesh Kumar Yadav @ Antesh Kr. Yadav, aged about 30 years, S/o Trivedi Yadav, R/o Sakrugarh Gas Godam, P.O. & P.S.-Jirwabari, District-Sahibganj

.... …. Appellant

Versus

1. The State of Jharkhand
2. Krish Paswan, aged about 19 years, S/o Debu Paswan, R/o Sakrugarh Gas Godam, P.O. & P.S.-Jiwrabari, Dist.-Sahibganj

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Vikas Kumar, Advocate
Mr. Niraj Kumar, Advocate
For the State : Mr. S.K. Srivastava, A.P.P.
For the Victim/Resp. No.2 : Mr. Agnivesh Kumar, Adv.
Mr. Abhinav Kumar, Adv.

Order No.02 / Dated : 10.09.2026.

I.A. No. 9642 of 2026

1. The present interlocutory application has been filed for condoning the delay of 115 days occurred in preferring the criminal appeal.

2. Learned counsel for the State has opposed the prayer.

3. Since it is a matter of liberty and considering the reason assigned herein, delay in filing of the appeal is, hereby, condoned.

4. Accordingly, the present interlocutory application is allowed and disposed of.

Cr. Appeal (S.J.) No. 701 of 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 appellant, 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 12.12.2025 passed by the learned Special Judge (SC/ST Act), Sahibganj in A.B.P No.558 of 2025 in connection with Jirwabari P.S. Case No.114

of 2025, registered for the offence under Sections 126(2), 115(2), 117(2), 351(2), 3(5) of the B.N.S., 2023 and Section 3(1)(r)(s) 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 Special Judge, (SC/ST Act), Sahibganj.

5. It has been submitted by the learned counsel for the appellant that there was a neighborhood dispute between the parties and further no offence under the SC/ST Act has been made out. It has further been submitted that a compromise has been arrived between the parties. On the above basis, prayer for anticipatory bail has been made.

6. On the other hand, learned counsel for the State has opposed the prayer for grant of anticipatory bail, but learned counsel for the victim has not opposed the same.

7. Having heard the learned counsel for the parties and on perusal of the record, it appears that the offence is not compoundable, rather it is a case where sometimes members of weaker section of the society are forced to compromise. Further, reference may be made to the Sections 3(2)(v), 3(2)(va), 8(c) and 18 of the SC/ST (POA) Act. Since it is a scheduled offence and parties are known to each other and as such, offence under the SC/ST Act has been made out. Section 18 of the SC/ST (PoA) Act bars the jurisdiction of Court to entertain anticipatory bail. The Court below has rightly not entertained the anticipatory bail.

8. Accordingly, I find no reason to entertain the present criminal appeal and the same is, hereby, dismissed.

(**Rajesh Kumar, J.**)

10.09.2026
Pawan/
Uploaded on 11.09.2026