IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.661 of 2026

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1. Sunny Kumar, aged about 25 years, son of Babulal Halwai
2. Prince Kumar, aged about 20 years, son of Ravindra Prasad
3. Ravindra Prasad, aged about 50 years, son of Sudeshwar Saw

All residents of Village- Semri, P.O. & P.S.- Patan, District- Palamau, Jharkhand. **…. …. Appellants**

-Versus-

1. The State of Jharkhand
2. Randhir Kumar Prakash, aged about 40 years, son of Late Rajendra Manjhi, R/o Semri, P.O. + P.S.- Patan, District- Palamu, Jharkhand.

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Anurag Kashyap, Advocate
Ms. K. Pragati R. Narayan, Advocate
For the State : Ms. Kumari Rashmi, A.P.P
For the Respondent No.2 : Mr. Mukesh Kr. Mehta, Advocate
Mr. Anuj Kr. Trivedi, Advocate

04/Dated: 28th September, 2026

1. Heard the learned counsel for the parties.

2. In compliance of the order dated 31.08.2026, Mr. Jitendra Kumar Yadav, Sub-Inspector, Patan Police Station, Palamu is physically present before this Court.

3. The present criminal appeal has been filed under Section 14-(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 16.06.2026 passed by the learned Special Judge, SC/ST (PoA) Act, Palamau in M.C.A. No. 1033 of 2026 in connection with Patan P.S. Case No.48 of 2026, registered for the offence under Sections 126(2), 115(2), 117(2), 303(2) read with Section 3(5) of the BNS, 2023 and under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The case is now pending in the court of learned Special Judge, Palamau.

4. It has been submitted by the learned counsel for the appellants that it is nothing but misuse of the official power. The concerned victim was posted on magistrate duty. There was a public outrage and public outrage cannot be scuttled by misusing the protective provision of the SC/ST (PoA) Act which has been made for protecting the weaker sections of the society. The person holding the official post cannot take the protection of the protective legislation under the SC/ST Act.

5. Learned counsel for the victim has not opposed the prayer for anticipatory bail of the appellants.

6. Considering the factual matrix of this case, I am inclined to grant 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 Special Judge, Palamau in connection with Patan P.S. Case No.48 of 2026, on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellants(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.

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

8. The personal appearance of the abovementioned official is hereby, dispensed with.

(Rajesh Kumar, J.)

Dated: 28th September, 2026
Vedanti/
Uploaded on 30.09.2026