IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.799 of 2026

Bharat Saw, aged about 43 years, S/o Jagdish Saw, R/o Village- Malakpur, P.O. & P.S. – Itkhori, District- Chatra **…. …. Appellant(s)**

-Versus-

1. The State of Jharkhand
2. Somnath Bankira, aged about 58 years, Son of Kandey Bankira, R/o Tasar Training Centre, P.O. & P.S. – Kuchai, Maranghatu, District Seraikela, Kharsawan.

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Shashikant Jaiswal, Adv.
For the State : Mr. Satish Prasad, A.P.P
For the Respondent No.2 : Ms. Kumari Pushpa, Adv.

04/Dated: 23rd September, 2026

1. Heard the learned counsel for the parties.

2. In compliance of the order dated 09.09.2026, Mr. Umesh Ram, Sub-Inspector, SC/ST Police Station, Chatra is physically present before this Court.

3. The present criminal appeal has been filed under Section 14-(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, [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 29.06.2026 passed by the learned Special Judge, SC/ST Act, Chatra in A.B.P No.864 of 2026 in connection with Itkhori P.S. Case No.87 of 2025, registered for the offence under Sections 356(2), 356(3), 351(4), 352 and 353 of BNS, 2023 under Section 67 of the I.T. Act and under Section 3(i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The case is now pending in the court of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Chatra.

4. It has been submitted by the learned counsel for the appellant that it is nothing but misuse of the official power. The concerned alleged victim is a

Block Development Officer against whom complaint has been made. Not only the official colour has been misused, the status of a protected community has also been used to scuttle the complaint or criticism. It is nothing but misuse of the protective legislature.

5. Learned counsel for the respondent no.2/ victim has submitted that the matter has been compromised out of the Court and an interlocutory application being I.A. No. 13692 of 2026 has been filed in the matter.

6. Be that as it may, it is a clear-cut case of misuse of not only the official position, rather the protective law.

7. In that view of the matter, I am inclined to grant the privilege of 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 him 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 Act, Chatra in connection with Itkhori P.S. Case No.87 of 2025. Further, the appellant 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.

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

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

10. Interlocutory Application No. 13692 of 2026 is disposed of.

(Rajesh Kumar, J.)

Dated: 23rd September, 2026
Vedanti/
Uploaded on 25.09.2026