IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.805 of 2025
....

Nirmal Prasad Sahu, aged about 50 years, son of Deep Chand Sahu, resident of 402B, 4th Floor, Basant Apartment, Dhumsa Toli, P.O. and P.S. Chutia, District-Ranchi, Jharkhand .... Appellant

Versus

1. The State of Jharkhand
2. Swati Kachhap wife of Sri Ujjwal S. Tiga, daughter of Late Sri Ignesh Kachhap, resident of Dhumsa Toli, near Chhat Talab, near Ice Factory, Pragati Path, P.O. and P.S. Chutia, District-Ranchi, Jharkhand

.... Respondents

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Shiv Prasad, Adv.
For the State : Mr. Manoj Kr. Mishra, A.P.P.
For the Resp. No.2 : Mr. Narmdeshwar Mishra, Adv.
: Mr. Sudhanshu Singh, Adv.

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03/01.05.2026

1. The present appeal has been filed under Section 14-A of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard learned counsel for the appellants and learned APP as well as learned counsel for the respondent No.2.

3. The present appeal is directed against the order dated 24.07.2025 passed by the learned Addl. Judicial Commissioner-II-cum-Special Judge, SC/ST Act, Ranchi in A.B.P. No.729 of 2025 in connection with SC/ST Complaint Case No.22 of 2023, for the offence under Sections 323 & 341 of IPC and Section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act, whereby and whereunder the prayer of the appellant for grant of anticipatory bail has been rejected. The case is presently pending before the court of learned Addl. Judicial Commissioner-II-cum-Special Judge, SC/ST Act, Ranchi.

4. The appellant has approached this Court for grant of anticipatory bail although the same is barred under Section 18 of the SC/ST (PoA) Act but there is land dispute between the parties and as such the prayer made in the present appeal is maintainable.

5. It has been submitted by the learned counsel for the appellant that the wife of this appellant was the member of Scheduled Tribe community and they have been blessed with a daughter also. There is a property dispute with the sister-in-law and to settle the same this false case has been lodged.

6. On the other hand, learned counsel for the State and learned counsel for the victim have opposed the prayer and submitted that there was no cordial relationship between the husband and wife, and the wife was residing in a flat belonging to her sister.

7. Having heard learned counsel for the parties and from perusal of record, it appears that it is a property dispute between the *jija* and *Sali* and to settle the dispute, this criminal case has been lodged.

8. Since it is a property dispute, I am inclined to enlarge the appellant on anticipatory bail. Accordingly, the appellant, above named, is directed to surrender before the learned Trial Court within a period of four weeks from the date of receipt/production of copy of this order and in the event of his arrest or surrender, he shall be enlarged on bail, on his furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Judicial Commissioner-II-cum-Special Judge, SC/ST Act, Ranchi in connection with SC/ST Complaint Case No.22 of 2023 on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellant will submit self-attested photo copy of his Aadhaar Card and also submit his mobile number before the learned trial court which he will always keep active and will not change it during pendency of this case without prior permission of the Court.

9. Accordingly, instant criminal appeal is allowed and disposed of.

(Rajesh Kumar, J.)

01.05.2026
Shahid/
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