**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Criminal Appeal (S.J.) No.857 of 2026**

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Ashok Kumar Mahtha, aged about 61 years, S/o Mahendra Mahtha, R/o Ratrai, P.O & P.S Dugda, District Bokaro **…. …. Appellant(s)**

**-Versus-**

1. The State of Jharkhand through ACB
2. Rajkumar Razak, S/o Late Jagbandhu Rajak, R/o Duhatand Patrakulhi, Dhobitola, P.O Dhanbad, P.S Dhansar, District Dhanbad
3. Birendra Hansda, S/o Nandu Hansda, R/o Abhay Sundri High School, Hirapur, P.O, P.S. & District Dhanbad
4. Ramesh Kumar Rahi, S/o Late Chadri Ram, R/o G.1 Prestege Apartment Durga Mandir Road, Hirapur, P.O & P.S & District Dhanbad
5. Sahdeo Murmu, S/o Late Sahebram Murmu, R/o Duhatand Manjhitola, P.O Dhanbad, P.S. Dhansar, District Dhanbad

**…. …. Respondent(s)**

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**CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR**

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For the Appellant : Mr. Shailesh Kr. Singh, Advocate
: Ms. Arpita Sinha, Adv
For the State : Mr. Vineet Kumar Vashistha, Spl. P.P

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**05/Dated: 05th November, 2026**

1. Heard the parties.

2. The present criminal appeal has been filed against the order dated 05.08.2026 passed in M.C.A No.104 of 2026 by the learned Special Judge (SC/ST), Dhanbad in connection with SC/ST Case No.88 of 2026, arising out of Special (Vigilance) Case No.34 of 2016, corresponding to Dhanbad Vigilance P.S. Case No.32 of 2016, for the offence under Sections 406, 409, 419, 420, 423, 424, 467, 468, 471, 120B & 34 of the Indian Penal Code, Sections 3 (1)(v)/4 of the SC/ST (PoA) Act and Section 13(2) read with Section 13(1)(c) & 13(1)(d) of the P.C Act. The case is presently pending in the court of the learned Special Judge (SC/ST), Dhanbad.

3. It appears that the appellant has been arrested without notice and after 10 years of institution of the case. The son of the appellant namely, Shyamal Mahatha had sold a land to one Jai Niwas Pandey pertaining to Mauza Ratari Khata No.103/97, plot No.413, total area of 101 decimal within the circle of Bermo Bokaro in which the appellant has stood as witness No.1 and consideration amount was paid in the account by the purchaser namely, Sri

Niwas Pandey. Thus, the only complaint has been made against this appellant is that he had received money from the account of Vishwanath Sharma, who had committed the forgery.

4. Defence has been taken by the learned counsel for the appellant that the appellant had sold his own land through a registered Sale Deed and the amount disclosed in the same matches with the amount received in the bank account. He has no concern so far as the source of the money as he has received the money in lieu of his land, and as such, no culpability has been committed by this appellant. The appellant is in custody since 09.01.2026 and he undertakes to participate in the trial.

5. Learned counsel for the State and learned for the respondent No.2 have opposed the prayer for bail but they could not point out any discrepancy so far as the amount in the sale deed and transfer of money in the account of the appellant is concerned.

6. Considering the above defence of the appellant and the fact that Sale Deed is of the year 2013 while the amount has been transferred in the year 2013 itself, the appellant named above, is directed to be released on bail, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Special Judge (SC/ST), Dhanbad in connection with SC/ST Case No.88 of 2026, arising out of Special (Vigilance) Case No.34 of 2016, corresponding to Dhanbad Vigilance P.S. Case No.32 of 2016, *subject to the condition that the appellant will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned trial court which he shall always keep active and will not change it during pendency of this case without prior permission of the court*.

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

8. It is hereby, clarified that any observation made hereinabove is for the purpose of bail of this appellant only.

9. Pending I.A, if any, also stand disposed of.

**(Rajesh Kumar, J.)**

Dated: **05th November, 2026**
Raja/-Uploaded 06.11.2026