IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.945 of 2026

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1. Mukesh Yadav @ Mukesh Kumar, aged about 29 years, S/o Late Mahendra Yadav
2. Rupesh Yadav @ Rupesh Kumar, aged about 25 years, S/o Late Mahendra Yadav
3. Pradeep Yadav, aged about 36 years, S/o Vijay Yadav
4. Manoj Yadav, aged about 29 years, S/o Vijay Yadav
5. Santosh Yadav, aged about 25 years, S/o Suryadev Yadav. *All R/o Village Madanpur, P.O. & P.S. Chhattarpur, District Palamau*

…. …. Appellant(s)

-Versus-

1. The State of Jharkhand
2. Sarita Devi, S/o Anuj Paswan, R/o Village Pahadi, P.O. & P.S. Chhattarpur, District Palamau, Jharkhand

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Sheo Kumar Singh, Adv.
For the State : Ms. Mohua Palit, A.P.P

02/Dated: 29th September, 2026

1. Heard the learned counsel for the appellants and the learned counsel for the State.

2. 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 10.06.2026 passed by the learned Special Judge, SC/ST (PoA) Act, Palamau in M.C.A No.932 of 2026, whereby and whereunder the prayer for grant of anticipatory bail of the appellants have been rejected in connection with SC/ST P.S. Case No.03 of 2026, registered for the offence under Sections 191(2), 191(3), 126(2), 115(2), 117(2), 303(2), 329(4), 352, 351(2), 351(3) read with Section 3(5) of the BNS, 2023 and Sections 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, SC/ST (PoA) Act, Palamau.

3. No notice is required to be issued as the Section 18 of the SC/ST (PoA) Act, is under consideration.

4. It has been submitted by the learned counsel for the appellants that it is misuse of the provisions of protective legislation and as such, Section 18 of the SC/ST (PoA) Act, does not activated. There is a case and counter case between the parties. They had gone for collecting the *Kambal* being poor person and thereafter, the dispute has arisen and they have assaulted. Upon that, the appellants have lodged a case as a counter blast. Thus, it is a complete misuse of the protective provision of law. On the above basis, prayer for anticipatory bail has been made.

5. Learned counsel for the State has stated that mere perusal of the F.I.R, it appears that the offence under Section 3(2)(v) of the SC/ST Act are made out and the parties are known to each other. Once of the offence under the same Section are made out, then the Section 18 of the said Act gets activated barring the jurisdiction of the Court *vis-a-vis* anticipatory bail.

6. Having heard the learned counsel for the parties and from perusal of the F.I.R, it appears that the offence under the SC/ST (PoA) Act is made out and as such, Section 18 of the SC/ST (PoA) Act gets activated.

7. In that view of the matter, I find no reason to interfere with the impugned order and grant the privilege of anticipatory bail to the appellants. Accordingly, the present criminal appeal stands **dismissed**.

(Rajesh Kumar, J.)

Dated: 29th September, 2026
Raja/- Uploaded on 30.09.2026