IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (S.J) No. 703 of 2024

Pradip Yadav, Aged about 27 years, Son of Kapildev Yadav, resident of Village-Tenudih, P.O-Sakaldipa, P.S-Hariharganj, District-Palamu, Jharkhand (822113) …… Appellant

Versus

1.The State of Jharkhand

2.Shambhu Paswan, aged about 56 years, S/o Nand Kumar Paswan, R/o Village-Tendudih, P.O and P.S.-Pipra, District-Palamu, Jharkhand ……. Respondents

with

Cr. Appeal (S.J) No. 694 of 2024

Kapildev Yadav @ Kapildeo Yadav, aged about 40 years, Son of Kailash Yadav, resident of Village-Tenudih, P.O-Sakaldipa, P.S-Hariharganj, District-Palamu, Jharkhand (822113)

…… Appellant

Versus

1.The State of Jharkhand

2.Shambhu Paswan, aged about 56 years, S/o Nand Kumar Paswan, R/o Village-Tendudih, P.O and P.S.-Pipra, District-Palamu, Jharkhand ……. Respondents

with

Cr. Appeal (S.J) No. 720 of 2024

Sandip Yadav @ Sandeep Kumar Yadav, Aged about 25 years, Son of Kapildev Yadav, Government Medical College, Bhangabari, VTC Sadar, Sub District-Sadar, P.O & P.S-Bhawanipatna, District-Kalahandi, Odisha (766001)

…… Appellant

Versus

1.The State of Jharkhand

2.Shambhu Paswan, aged about 56 years, S/o Nand Kumar Paswan, R/o Village-Tendudih, P.O and P.S.-Pipra, District-Palamu, Jharkhand ……. Respondents

with

Cr. Appeal (S.J) No. 851 of 2024

Harihar Yadav, Aged about 39 years, resident of Village-Tenudih, P.O-Sakaldipa, P.S-Hariharganj, District-Palamu, Jharkhand (822113) …… Appellant

Versus

1.The State of Jharkhand

2.Shambhu Paswan, aged about 56 years, S/o Nand Kumar Paswan, R/o Village-Tendudih, P.O and P.S.-Pipra, District-Palamu, Jharkhand ……. Respondents

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CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants : Mr. Ashutosh Ranjan Kumar, Advocate
For the State : Mr. Arup Kr. Dey, APP (Cr.Apl-703/2024)
: Mr. Azeemuddin, APP (Cr.Apl-694/2024)
: Mr. Anup Pawan Topno, APP (Cr.Apl-720/2024)
: Ms. Anuradha Sahay, APP (Cr.Apl.851/2024)

12/Dated:06th February, 2026

All the Criminal Appeals i.e. Cr. Appeal (SJ) No.703 of 2024, Cr. Appeal (SJ) No.694 of 2024, Cr. Appeal (SJ) No.720 of 2024 and Cr. Appeal (SJ) No.851 of 2024 have been heard together and are being disposed of together as they arise by the common F.I.R. dated 11.08.2023 instituted under sections 147/148/149/341/323/325/307/504 of IPC and section 3(1) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, pending in the Court of learned Additional District Judge-I-cum-Special Judge, SC/ST (POA) Act, Palamau.

2. The prosecution case, in brief, is that on the written report of the informant namely, Shambhu Paswan alleging therein that on 11.08.2023 at about 09.00 a.m. when he went to contribute in the road construction work of village-Tendudih the the present appellant along with eight others came and stopped the work and for which an altercation took place. It has been further alleged that thereafter, the informant was abused with caste related slangs and was assaulted by sharp weapon due to which he got injured. It is also alleged that four other persons including women were also assaulted after which one Sipahi Yadav was referred to RIMS, Ranchi for better treatment.

3. Heard learned counsel for the appellants and learned APP on behalf of the State.

4. Learned counsel for the appellants submitted that there is general and omnibus allegations alleged against the appellants. It is submitted that the allegations against the appellants are false and concocted and they have been falsely implicated. It is submitted that there is case and counter case between the parties. It is further submitted that the injured namely, Sipahi Yadav has died after twelve days during course of treatment. It is submitted that several persons of the informant side with the support of Mukhiya was forcefully constructing road on the private land of the appellant against which the matter was informed to the concerned Circle Officer but the informant continued the said construction. It is submitted that no offence under SC/ST Act is made out as the alleged caste based slangs were not made in public place and hence the appellants may be granted anticipatory bail.

5. On the other hand, learned APP has opposed the prayer for anticipatory bail. It is submitted that the appellants are named in the FIR for assaulting the informant's side. It is submitted that due to assault made by the appellants' side one of the injured Sipahi Yadav has died and hence the prayer for anticipatory bail of the appellants may be rejected.

6. Perused the FIR and case diary and considered the submission of both the sides.

7. On perusal of FIR and case diary, it appears that when informant Shambhu Paswan had gone to contribute in the road construction work of village Tendudih, these appellants along with eight others went and stopped the work due to which an altercation took place.

8. It appears that these appellants along with others were involved in altercation and caused hurt to one Sipahi Yadav, who ultimately died after twelve days in course of treatment.

9. It appears from Para-71 of the case diary which is post-mortem report of Sipahi Yadav that he died due to injury sustained by him during fight between both the sides.

10. Considering the fact that there was altercation between both the sides and some persons also sustained injuries, this Court is not inclined to enlarge the appellants on anticipatory bail.

11. Accordingly, the prayer for anticipatory bail of the appellants is, hereby, rejected.

12. Thus, all the Criminal Appeals i.e. Cr. Appeal (SJ) No.703 of 2024, Cr. Appeal (SJ) No.694 of 2024, Cr. Appeal (SJ) No.720 of 2024 and Cr. Appeal (SJ) No.851 of 2024 are hereby, dismissed.

(Sanjay Prasad, J.)

Dated: 06.02.2026
Saket/-