IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.934 of 2026

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1. Anjit Saw @ Anjit Kumar, aged about 34 years, S/o Vijay Saw
2. Ram Chandra Saw, aged about 61 years, S/o Badho Saw, both are R/o Vill- Pihra Manpur, P.O. Pihra, P.S. Gawan, District Giridih

…. …. Appellant(s)

-Versus-

1. The State of Jharkhand
2. Dhaneshwar Chaudhary, aged about 77 years, S/o Late Pannu Pasi, R/o Vill-Pihra Manpur, P.O. Pihra, P.S. Gawan, District Giridih

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Mritunjay Chaudhary, Adv.
For the State : Mrs. Anuradha Sahay, A.P.P

02/Dated: 24th September, 2026

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

2. The present criminal appeal has been filed under Section 14 A(2) 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 24.08.2026 passed by the learned Additional Sessions Judge-I-cum-Special Judge SC/ST (PoA), Giridih in A.B.P No.1316 of 2026 whereby the prayer for grant of anticipatory bail of the appellants have been rejected in connection with Giridih (SC/ST) P.S. Case No.07 of 2026, registered for the offence under Sections 316(4)(5)/318(4)/336(3)/338/340(1)/331(7)/115(2)/351(1)/352/61(2) & 3(5) of the BNS, 2023 and Sections 3(1)(r)4 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, Giridih.

3. Since there is an issue of maintainability and as such, no notice is required to be issued to the victim/respondent No.02.

4. It has been submitted by the learned counsel for the appellants that no offence under the SC/ST (PoA) Act is made out. There is a land dispute between the parties and as such, Section 18 of the SC/ST (PoA) Act, does not

gets activated. Hence, prayer for anticipatory bail is maintainable. There is no specific allegation against these appellants regarding the forgery. The only allegation against the appellants is that they have assaulted the victim within the premises not in a public view. On the above basis, prayer for anticipatory bail has been made.

5. Learned counsel for the State has opposed the prayer for anticipatory bail of the appellants and has submitted that not only forgery has been committed, he has been stopped from enjoying the property which is a crime under Section 3(1) of the SC/ST Act. Further, crime has also been committed for the offence under Section 3(2)(v) of the SC/ST Act which is a scheduled offence. By referring to Section 8(C) of the SC/ST (PoA) Act, it has been submitted that the parties are known to each other and as such, Section 18 of the said Act gets activated.

6. Having heard the learned counsel for the parties and from perusal of the records, it appears that the offence under Sections 3(1) as well as 3(2)(va) of the SC/ST (PoA) Act, are made out and as such, Section 18 of the SC/ST (PoA) Act gets attracted.

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: 24th September, 2026
Raja/- Uploaded on 25.09.2026