IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.902 of 2025

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1. Ismail Hawari, Age- about 44 years, S/o Aenul Hawari, Address- Dangara Toli, Purulia Road P.O. – G.P.O. Ranchi, P.S. Lower Bazar, Dist. Ranchi, Jharkhand, PIN 834001.
2. Yusuf Ismail Hawari @ Yusuf Ismail Hawari, age about 37 years, s/o Aenul Hawari, Address- Dangara Toli, Purulia Road P.O. – G.P.O. Ranchi, P.S. Lower Bazar, Dist. Ranchi, Jharkhand, PIN 834001.

…. …. Appellants

-Versus-

1. The State of Jharkhand
2. Manju Khalkho, D/o Late Patras Khalkho, R/o Dangra Toli, Puruliya Bazar, P.S.- Lower Bazar, P.O. G.P.O., Ranchi, Jharkhand.

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Rajesh Kumar Tiwari, Advocate
For the State : Mr. Shiv Shankar Kumar, A.P.P
For the Respondent No.2 : Mr. Pranav Prakash Mishra, Advocate

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11/Dated: 23.11.2026

1. Heard the learned counsel for the parties.

2. In compliance of the Court's order, Mr. Abhishek Kumar, Sub-Inspector of Police, Lower Bazar P.S., Ranchi is physically present before this Court.

3. 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 11.08.2025 passed by the learned Additional Judicial Commissioner-II-cum Special Judge, SC/ST Act, Ranchi rejecting the prayer of anticipatory bail of the appellants in A.B.P. No. 2053 of 2025 in connection with Ranchi SC/ST P.S. Case No.28 of 2025, registered for the offence under Sections 126(2), 115(2), 316(2), 318(4), 352, 351(2), 351(3) of the BNS, 2023 and under Section 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 Additional Judicial Commissioner-II-cum Special Judge, SC/ST Act, Ranchi.

4. It has been submitted by the learned counsel for the appellants that there is a land dispute between the parties and it has been used as a substitute for recovery of the possession and as such, the appellants have prayed for grant of anticipatory bail.

5. It has been submitted by the Investigating Officer that the land is in continue possession of the accused persons as they have constructed shop on the said land and they are also residing there for the last six to seven years.

6. Learned counsel for the victim has opposed the prayer for anticipatory bail of the appellants.

7. Considering the fact that there is a land dispute between the parties and this case has been used for recovery of the possession of land, I am inclined to grant anticipatory bail to the appellants. Accordingly, the appellants, named above, are directed to surrender in the trial court within four weeks from the date of receipt/production of a copy of this order, and in the event of their arrest or surrender, they shall be enlarged on anticipatory bail, on their furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Judicial Commissioner-II-cum Special Judge, SC/ST Act, Ranchi in connection with Ranchi SC/ST P.S. Case No.28 of 2025, on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellants(s) will submit self-attested photocopy of their Aadhaar Card(s) and also submit their mobile number(s) before the learned trial court which they will always keep active and will not change it without prior permission of the court, till conclusion of the case.

8. In the result, the present criminal appeal stands allowed and accordingly disposed of.

9. The personal appearance of the abovementioned official is hereby, dispensed with.

(Rajesh Kumar, J.)

Dated: 23.11 2026
Vedanti/
Uploaded on 25.11.2026