IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J) No.1088 of 2026

Rajiv Ranjan Bhagat, aged about 48 years, Son of Late Shivnath Bhagat, R/o Village Mahuara, P.O Lugain, P.S Mahagama, District Godda

…. …. Appellant(s)

-Versus-

1. The State of Jharkhand

2. Dev Kumar Das, aged about 35 years, S/o Dhananjay Das, R/o Village Kaudi Baihaar, P.O & P.S Godda Nagar, District Godda

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Praveen Shankar Prasad, Adv.
For the State : Mr. Vineet Kr. Vashistha, Spl.P.P

02/Dated: 18th November, 2026

1. 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.

This appeal has been filed against the order dated 23.09.2026 passed by the learned Additional Sessions Judge-I, Godda in A.B.P No.585 of 2026 by which the prayer for grant of anticipatory bail to the appellant has been rejected in connection with SC/ST P.S. Case No.07 of 2026, arising out of SC/ST Case No.29 of 2026, registered for the offence under Sections 316(2), 318(3), 351(2), 351(3) & 3(5) of the ***B.N.S, 2023*** and Section 3(1)(r) & 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Cognizance has been taken under Sections 316(2), 318(3) & 336(3) of the B.N.S., 2023 and Section 3(2)(va) of the SC/ST (PoA) Act. The case is presently pending in the court of learned Special Judge (SC/ST Act), Godda.

2. Learned counsel for the appellant has relied upon the judgment of the Hon'ble Apex Court in the case of ***Musheer Alam Vs. State of Uttar Pradesh and Anr.,*** reported in ***2025 SCC OnLine SC 116*** as after completion of investigation, final-form has been submitted against which, cognizance has been taken against the appellant. The relevant paragraph Nos.9 & 10 of the said judgment is quoted hereinbelow:-

> "9. We are of the view that once the investigation is over and charge-sheet is filed then the accused should be asked to appear before the Court concerned and should furnish bail to the satisfaction of the trial court.
> 10. If at all, the Investigating Officer wanted to interrogate the petitioner, he could have arrested him during the course of the investigation itself. Now there is no point in making a formal arrest."

3. On the above basis, learned counsel for the appellant has submitted that the appellant may be allowed to participate in the trial with a direction to the trial Court to follow the mandate of the Hon'ble Apex Court.

4. In view of the limited submission, there is no requirement of issuance of notice to the respondent No.2/victim.

5. Accordingly, the present criminal appeal is hereby disposed of giving liberty to the appellant to participate in the trial and the Trial Court is directed to proceed in accordance with law.

(Rajesh Kumar, J.)

Dated: 18th November, 2026
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