**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Criminal Appeal (S.J) No.1083 of 2026**

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Shyam Dev Saw @ Shyamdo Shaw, aged about 53 years, Son of Mitu Saw, Resident of Village + Post Pobi, Police Station Jamua, District-Giridih, Jharkhand **…. …. Appellant(s)**

**-Versus-**

1. The State of Jharkhand
2. Ramesh Kumar Chaudhary, Son of Arjun Chaudhary, Resident of Village + Post- Pohi, Police Station, Jamua, District Giridih, Jharkhand

**…. …. Respondent(s)**

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**CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR**

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For the Appellant : Ms. Kaushiki Mishra, Adv.
For the State : Mr. Sunil Kumar Dubey, A.P.P

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**02/Dated: 18th November, 2026**

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

**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 17.09.2026 passed by the learned Additional Sessions Judge-1-cum-Special Judge, SC/ST (PoA), Giridih in A.B.P No.1564 of 2026, whereby and whereunder the prayer for grant of anticipatory bail of the appellant has been rejected in connection with Jamua P.S. Case No.234 of 2026, registered for the offence under Sections 126(2), 115(2), 117(2), 118(1), 118(2), 76, 109(1), 303(2), 351(2), 352 and 3(5) of the BNS, 2023 and 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 Sessions Judge-1-cum-Special Judge, SC/ST, Giridih.

**3.** It has been submitted by the learned counsel for the appellant that he has falsely been implicated in the present case. A report has also been given prior to the alleged incident that he may be implicated in a false case due to the land dispute between the parties. Further, there is no injury suggesting the allegation. On the above basis, prayer for anticipatory bail has been made.

**4.** On the other hand, learned counsel for the State has opposed the prayer for grant of anticipatory bail to the appellant by *stating* that the allegation itself suggests scheduled offence and the parties are known to each other. Referring to the Section 3(2)(v), 3(2)(va) & 8 (c) of the SC/ST (PoA) Act, it has been submitted that Section 18 of the said Act gets activated.

**5.** 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.

**6.** 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 appellant. Accordingly, the present criminal appeal stands **rejected**.

**(Rajesh Kumar, J.)**

Dated: 18th November, 2026
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