IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.72 of 2026
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Mozaffar Sua @ Mozaffar Raza, aged about 30 years, S/o Md. Muslim Ansari, R/o At-Mushikhap, PO & PS-Pandu, District-Palamau, Jharkhand

…. Appellant

Versus

1. The State of Jharkhand
2. Smt. Kuwar, W/o Late Surya Lal Betha R/o At-Mushikhap, PO & PS.-Pandu, District-Palamau, Jharkhand .... Respondents

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Sheo Kr. Singh, Adv.
For the State : Mr. Praful Jojo, A.P.P.
For the Victim : Mr. B.N.Rajak, Adv.

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05/30.04.2026

1. The present appeal has been filed under Section 14-A of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard learned counsel for the appellant and learned APP as well as learned counsel for the victim.

3. The present appeal is directed against the order dated 17.10.2025 passed by the learned Special Judge, SC/ST (PoA) Act, Palamau in M.C.A. No.2408 of 2025 in connection with SC/ST (Complaint) Case No.23 of 2025 corresponding to Pandu P.S. Case No.35 of 2022, for the offence under Sections 323/ 504 & 506 of IPC and Section 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989 whereby and whereunder the prayer of the appellant for grant of anticipatory bail has been rejected. The case is presently pending before the court of learned Special Judge SC/ST (PoA) Act, Palamau.

4. The appellant has approached this Court for grant of anticipatory bail although the same is barred under Section 18 of the SC/ST (PoA) Act but there is land dispute between the parties and as such the prayer made in the present appeal is maintainable.

5. It has been submitted by the learned counsel for the appellant that the compliant has been lodged and after institution F.I.R., the police after investigation has submitted charge-sheet under Sections 504 & 506 of IPC. It has been further submitted that the alleged victim is a license holder of the PDS Shop and she has gone to collect food grains. Further, there was simple dispute, which has wrongly been aggravated in the SC/ST case. The police has

accordingly submitted charge-sheet and found nothing so far as allegation under SC/ST Act is concerned.

6. Learned counsel for the State and learned counsel for the victim has opposed the prayer and submitted that she has been abused in public place.

7. Considering the nature of dispute and the police report, I am inclined to enlarge the appellant on anticipatory bail. Accordingly, the appellant, above named, is directed to surrender before the learned Trial Court within a period of four weeks from the date of receipt/production of copy of this order and in the event of his arrest or surrender, he shall be enlarged on bail, on his furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (PoA) Act, Palamau in connection with SC/ST (Complaint) Case No.23 of 2025 corresponding to Pandu P.S. Case No.35 of 2022 on the conditions as laid down under Section 482 of the B.N.S.S., 2023. Further, the appellant will submit self-attested photo copy of his Aadhaar Card and also submit his mobile number before the learned trial court which he will always keep active and will not change it during pendency of this case without prior permission of the Court.

8. Accordingly, instant criminal appeal is allowed and disposed of.

(Rajesh Kumar, J.)

30.04.2026
Shahid/
Uploaded on 04.05.2026