IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 831 of 2026
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1. Manoj Kumar Yadav, aged about 33 years, son of Khublal Yadav
2. Raja @ Raj Kumar Yadav, aged about 30 years, son of Pritam Yadav
3. Suresh Yadav, aged about 36 years, son of Pritam Yadav
4. Yogi @ Yogendra Yadav @ Yogendra Lalman Yadav, aged about 37 years, son of Lalman Yadav
5. Mukesh Yadav, aged about 25 years, son of Buneshwar Yadav.
6. Bhuneshwar Yadav @ Upendra, aged about 43 years, son of Khublal Yadav
7. Dhaneshwar Yadav, aged about 36 years, son of Bhagirath Yadav
8. Ranjeet Kr. Yadav, aged about 32 years, son of Gojendra Yadav
9. Sachin Sachit Kumar Yadav, aged about 31 years, son of Balgovind Yadav
10. Pankaj Kumar @ Pankaj Kumar Yadav, aged about 27 years, son of Balgovind Yadav
11. Vinod Yadav, aged about 43 years, son of Late Cheto Yadav
12. Surendra Yadav @ Sabni, aged about 53 years, son of Babulal Yadav
13. Sukhdeo Yadav @ Sukdeo Yadav, aged about 60 years, son of Late Gango Yadav

All residents of Village Kedadih, P.O. Choudharibandh, P.S. Bagodar, District Giridih (Jharkhand)

.... …. Appellants

Versus

1. The State of Jharkhand
2. Prakash Rajak, son of Dularchand Rajak, resident of Village and P.O. Choudharibandh, P.S. Bagodar, District Giridih (Jharkhand)

.... ..….. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Sudhir Kumar Roy, Advocate
Mr. Vivek Kumar, Advocate
For the State : Mr. Saket Kumar, APP

Order No.05 / Dated : 07.10.2026.

I.A. No.13719 of 2026

1. The present interlocutory application has been filed for amending in Para-1 of the present criminal appeal and setting aside the order dated 30.04.2024 by which non-bailable warrant of arrest (NBW) has been issued against the appellants in connection with Bagodar P.S. Case No. 80 of 2020.

2. Considering the reason assigned in the interlocutory application, the present interlocutory application is, hereby, allowed and accordingly disposed of.

3. Learned counsel for the appellants is directed to make necessary corrections in the memo of appeal in course of the day.

Cr. Appeal (S.J.) No. 831 of 2026

1. The present appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

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

3. In spite of valid service of notice, nobody appears on behalf of the victim.

4. The present criminal appeal has been filed against the order dated 09.02.2026 passed in A.B.P No.166 of 2026 by the learned Additional Judge-I-cum-Special Judge, SC/ST (PoA) Act, Giridih in connection with Bagodar P.S. Case No.80 of 2020, registered for the offence under Sections 147, 148, 149, 341, 323, 379, 354(B), 504, 506 of the IPC and Sections 3(i) (R) (S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for grant of anticipatory bail of the appellants has been rejected. The case is presently pending in the Court of learned Additional Sessions Judge-I-cum-Special Judge SC/ST, (PoA), Giridih.

5. From perusal of the records, it appears that the alleged offence has been made under Sections 147, 148, 149, 341, 323, 379, 354(B), 504, 506 of the IPC and Sections 3(i) (R) (S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the police after investigation has submitted charge-sheet under Sections 147, 341, 323, 504 and 506 of the IPC, finding no case made out under the SC/ST Act; however, upon a protest petition, the trial Court has taken cognizance under the SC/ST Act and thereafter, summons have been issued against the appellants followed by bailable warrant of arrest and ultimately non-bailable warrant of arrest have been issued against the appellants.

6. Defence has been taken by the learned counsel for the appellants that they are laborers working outside the State and as such, they could not be able to participate in the trial and now they are ready and willing to participate in the trial.

7. Learned counsel for the State has referred the judgment of **Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash**

Chawnika Vs. The State of Jharkhand & Anr. reported in **2026 SCC Online SC 676** passed by Hon'ble Apex Court stating that in such cases, anticipatory bail is not maintainable.

8. Having heard the learned counsel for the parties and considering the peculiar nature of this case, the order dated 30.04.2024 passed by learned Special Judge SC/ST Act, Giridih in Bagodar P.S. Case No. 80 of 2020 by which non- bailable warrant of arrest issued against the appellants is hereby quashed and set aside. The appellants are directed to participate in the pending trial within four weeks from today. The trial Court is directed to proceed as per the mandate of Hon'ble Apex Court.

9. In the result, the present criminal appeal stands disposed of.

(**Rajesh Kumar, J.**)

07.10.2026
Pawan
Uploaded on 09.10.2026