IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 695 of 2026
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1. Tila Devi @ Tilli Devi @ Tilla Devi aged about 52 years W/o Kailash Prajapati
2. Arun Kumar aged about 30 years, S/o Kailash Prajapati
Both are R/o Barwadih, P.O. & P.S.-Barkagaon, Dist.-Hazaribagh, Jharkhand **.... .... …. Appellants**

Versus

1. The State of Jharkhand
2. Narendra Kumar, S/o Kartik Ram, aged about 31 years, R/o Mohalla-Natraj Nagar, P.O. + P.S.-Barkagaon, Dist.-Hazaribagh (Jharkhand)

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellants : Mr. Yasir Arafat, Advocate
For the State : Mr. Sardhu Mahto, APP
For the Resp. No.2 : Mr. Shubham Sinha, Amicus Curiae

Order No.04 / Dated : 06.10.2026.

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

2. Heard learned counsel for the appellants, learned counsel for the State and the learned *Amicus Curiae* for the respondent No.2/victim.

3. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such bar would not apply in case where no *prima facie* offence under the Act is made out.

4. The present appeal has been filed against the order dated 17.06.2026 passed in A.B.P No.963 of 2026 by the learned Additional Sessions Judge-I-cum-Spl. Judge, SC/ST, Hazaribagh in connection with Barkagaon P.S. Case No. 144 of 2024 corresponding to SC/ST Case No.53 of 2025, registered for the offence under Sections 323, 341, 379, 504, 506/34 of IPC and Sections 3(1)(r), 3(1)(s) & 3(1)(u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for grant of anticipatory bail to the appellants has been rejected. The case is presently pending in the Court of learned Additional Sessions Judge-I-cum Spl. Judge, SC/ST, Hazaribagh.

5. It has been submitted by the learned counsel for the appellants that there was a monetary transaction between the parties and the appellants have been duped for providing job and paid a sum of Rs.2,55,000/-.

Consequently, a complaint being Complainant Case No. 87 of 2023 case has been filed and that was subsequently converted into an FIR, registered as Barkagaon P.S. Case No. 276 of 2023. The present case is a counterblast to that proceedings. It has further submitted that it is nothing but misuse of the protective provision of SC/ST Act as the scuffle between the parties was not due to the casteism, rather it was the due to transaction of money. On the above basis, prayer for anticipatory bail has been made.

6. Learned counsel for the State and learned *Amicus Curiae* appearing for the respondent No.2 have opposed the prayer for anticipatory bail. It has been submitted by the learned *Amicus Curiae* that scheduled offence under the SC/ST Act is made out, thus, Section 18 of the SC/ST (PoA) Act get attracted. It has further been submitted that the charge-sheet has been submitted and cognizance has also been taken and summon has issued against the appellants.

7. Considering the nature of dispute between the parties, the appellants are directed to appear before the trial Court within three weeks from today and participate in the pending trial and the trial Court is directed to accept the bond for participation in the trial.

8. Let this order be communicated to the learned Member Secretary, JHALSA, Ranchi, for the purpose of remuneration to be paid to the learned *Amicus Curiae* as permissible.

9. With the above direction, the present criminal appeal is, hereby, disposed of.

(**Rajesh Kumar, J.**)

06.10.2026
Pawan
Uploaded on 07.10.2026