

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**Criminal Appeal (S.J.) No.268 of 2026**

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Ramanand Ranjan @ Ramanand Ranjan Mandal, S/o Badrinarayan Mandal  
aged about 26 years Resident of Village – Harbhanga, P.O.-Nanhidih, P.S.-  
Sarwan, Dist.-Deoghar. .... Appellants

**Versus**

1. The State of Jharkhand  
2. XXXX, D/o XXXX, Resident of Village – XXXX, P.O. – XXXX, P.S.-  
XXXX, District - XXXX .... Respondents

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

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For the Appellant : Mr. Lakhan Chandra Roy, Adv.  
For the State : Mr. Satish Kr. Keshri, A.P.P.  
For the Respondent No.2 : Mr. Santosh Kumar, Adv.  
Mr. Abhay Kr. Sinha, Adv.

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**03/Dated: 13<sup>th</sup> May, 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 appellant, learned counsel for the State and learned counsel for the victim.
3. The present criminal appeal, filed in the nature of an application for anticipatory bail, is directed against the impugned order dated 20.12.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Dumka in A.B.P. No.519 of 2025 arising out of Jama P.S. Case No.69 of 2025, registered for the offences punishable under Sections 69, 351(3) and 3(5) of the BNS and Section 3(1)(r)(s) of the SC/ST (PoA) Act, which is presently pending before the court of the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Dumka. Although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such embargo would not apply where no *prima facie* offence under the provisions of the Act is made out.
4. Learned counsel for the appellant has submitted that both the parties are majors and were in a consensual relationship for a considerable period of

time. It has further been submitted that only upon refusal to marry, the present case has been instituted and, as such, no offence under the SC/ST (PoA) Act is made out. It has also been contended that since both the parties are majors and were in a consensual relationship, the allegation of rape is not attracted. The appellant undertakes to participate in the trial. On the aforesaid grounds, prayer for anticipatory bail has been made.

5. On the other hand, learned counsel appearing for the State as well as the victim has opposed the prayer for anticipatory bail and submitted that the victim has not only been exploited, but the provisions of the SC/ST (PoA) Act are also clearly attracted. Referring to Section 3(2)(v) of the SC/ST (PoA) Act, it has been contended that since the offence has been committed against a member of the Scheduled Caste/Scheduled Tribe community and the offence is punishable with imprisonment for a term of ten years or more, a prima facie case under the SC/ST (PoA) Act is made out. It has further been submitted that the appellant had knowledge regarding the caste status of the victim and, in view of the presumption attached under Section 8 of the SC/ST (PoA) Act, the same carries evidentiary value. Section 8 of the SC/ST (PoA) Act reads as under:

**“8. Presumption as to offences.**— In a prosecution for an offence under this Chapter, if it is proved that— [(c) the accused was having personal knowledge of the victim or his family, the Court shall presume that the accused was aware of the caste or tribal identity of the victim, unless the contrary is proved.]”

6. Section 3(2)(v) of the SC/ST (PoA) Act also reads as under:-

**“3. Punishments for offences atrocities.—(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,— (v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine;”**

7. Having heard the parties and upon perusal of the records, this Court finds that the alleged offence has been committed against a member of the Scheduled Caste/Scheduled Tribe community and there are materials to

indicate that the appellant had knowledge regarding the caste status of the victim. In such scenario Section 18 of the SC/ST (PoA) Act gets attracted.

**8.** In view of above discussion, this Court is not inclined to enlarge the applicant on anticipatory bail. Accordingly, the present criminal appeal stands dismissed.

**(Rajesh Kumar, J.)**

**Dated: 13<sup>th</sup> May, 2026**  
**Amar/-**  
**Uploaded on 15.05.2026**