

**IN THE HIGH COURT OF JHARKHAND AT RANCHI  
Cr. Appeal (S.J.) No. 956 of 2019**

1. Ibrahim Ansari @ Ibaihm Ansari
2. Janatun Khaton @ Janatun Nisha
3. Jamila Khatun
4. Rasmi Bibi @ Ramisa Bibi
5. Usera Bibi @ Hushn Aara

89 .... **Appellants**

**Versus**

1. The State of Jharkhand
2. Rani Hunsda

..... **Respondents**

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**CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA**  
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For the Appellants :Mr. R.R.S. Singh, Advocate  
For the State :Mr. V.K. Vasishtha, A.P.P  
For the resp. No.2 :Mr. S.K. Thakur, Advocate  
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**11/Dated: 26.03.2021**

1. The appeal is directed against the order dated 16.08.2019 passed by the court of learned Sessions Judge-I, Sahibganj, rejecting the prayer for grant of anticipatory bail to the appellants in connection with Barheit P.S. Case No.50 of 2019 registered under Sections 341, 323, 354, 379, 504 & 506 of the Indian Penal Code and Section 3(i) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Learned counsel for the appellants has submitted that it would be evident from Annexure-2 that husband of appellant No.4 and father of appellant Nos. 2 & 3 had lodged Barheit P.S. Case No.51 of 2019. In the said case appellant No.4 had sustained injuries as would be evident from the requisition slip of the Investigating Officer attached with the supplementary affidavit. It is argued that the allegation in the FIR is that they abused the informant by her caste name but the specific words used for abusing her by her caste name has not been mentioned therefore the ingredients to constitute the offence under Section 3(i) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is not made out.

It is argued that in fact the Plot No.218,

mentioned in the FIR is in possession of the appellants and the informant claimed the same which was resisted by the appellants and, in fact, the appellants were assaulted by the informant's party. It is submitted that the instant case is a counter blast to the case lodged earlier by the appellants party.

3. Learned counsel for respondent No.2 assisted by learned APP have submitted that the process under Section 82 Cr.P.C., has been issued against as would be evident from para-16 of supplementary case diary.

4. Heard. Since the process under Section 82 has already been issued against the appellants, they are directed to surrender in the court below and pray for regular bail. The court below shall pass necessary order on merit, on consideration of materials on record and submissions of the parties, without being prejudiced by this order.

5. With the aforesaid direction the appeal stands disposed off.

**(AMITAV K. GUPTA, J.)**