

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3438 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -HARIJAN District- PATNA

Nagendra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 27.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Cognizance has been taken under section 3 (I) (X) of the
SC/ST (Prevention of Atrocities) Act, 1989 and sections 120B, 420,
406 of the IPC.

It appears from the contents of the complaint petition that
petitioner and his brother executed an agreement for sale in favour of
the informant but when deed of absolute sale was prepared and
presented before the Registrar, petitioner and his brother left the
registry office and absolute sale deed could not be registered in favour
of the informant.

In the above stated facts and circumstances as well as
submissions, application of provision of section 3 (I) (X) of the SC/ST
(Prevention of Atrocities) Act, prima facie, appears to be doubtful and
accordingly, this anticipatory bail petition is allowed and it is ordered
that in the event of arrest/ surrender within four weeks from the date

of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Patna in SC/ST P. S. case no. 05/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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