

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3970 of 2016

Arising Out of PS.Case No. -909 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

Baijnath Singh S/o Late Subedar Singh R/o village - Amara, P.S. Sasaram
(Mufasil), Distt. - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 27-01-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest
in a case registered for the offences punishable under Sections
406, 420, 504 of the Indian Penal Code and 3(1)(x) of SC/ST
(Prevention of Atrocities) Act.

The prosecution case is that on
17.10.2014 the petitioner executed sale deed with regard to
two decimals of land pertaining to Plot No. 728 Khata No. 80
after receiving Rs.1,25,000/-. Subsequently the name of the
petitioner was mutated but thereafter the informant came to

know that the agnate of the petitioner executed sale deed with regard to the same land in favour of Kunti Devi and Savita Devi.

It is submitted by learned counsel for the petitioner that the petitioner sold his share of land in favour of the informant and the agnate of the petitioner sold his share of land and under some misconception the informant has lodged the present case. The accusation has been levelled in the background of dispute with regard to transfer of the land, hence, no offence under SC/ST Act is made out. The sale was executed in 2014 whereas the present FIR has been registered in 2015.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation in the background of dispute with regard to transfer of the land, let the above named petitioner be released on anticipatory bail, in the his event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection

with Sasaram (Muffasil) P.S. Case No. 909 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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