

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2968 of 2017

Arising Out of PS.Case No. -541 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI
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Pankaj Mahto, S/o Late Srilal Mahto R/o Vill-Telia Pokhar-P.S.-Begusarai
Town (Ratanpur O.P.) Dist.-Begusarai

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shubhesh Pandey

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Begusarai Town (Ratanpur O.P.) P.S.Case No. 541 of 2015 registered for the offences punishable under Sections 341, 323, 406/34 of the Indian Penal Code and 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 22.8.2017 passed by Special Judge, SC/ST Act, Begusarai.

Allegation against the appellant is that he has taken Rs.5,53,000/- from the informant as consideration money for executing a sale deed with respect to a piece of land.

Submission of learned counsel for the appellant that informant has vivid eyes over the land in which his house is situated and, as such, he has filed the false and concocted case in order to grab the land and no chit of paper has been produced by him with respect to the said amount. Further submission is that



police after investigation has submitted final form finding case not true but cognizance has been taken and he is in custody for three months.

Heard learned Special P.P.

Having heard both sides and considering the facts and circumstances of the case, the appeal is allowed and the impugned order is set aside.

Let appellant, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, SC/ST Act, Begusarai, in connection with Begusarai Town (Ratanpur O.P.) P.S.Case No. 541 of 2015, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (2) Appellant will co-operate in trial and appear on each and every date in court, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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