

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1793 of 2017

Arising Out of PS.Case No. -23 Year- 2016 Thana -TIKAPATTI District- PURNIA

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1. Sikandar Mandal Son of Moti Mandal, Resident of Village- Tintanga,
P.S.- Takapatti, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijendra Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-07-2017 The appellant seeks regular bail in connection with

Special SC/ST Case No. 119 of 2016, arising out of Tikapatti P.S.

Case No. 23 of 2016 registered for offences punishable under

Sections 146, 147, 420, 406, 506, 120(B) and 436 of the Indian

Penal Code, Section 3 (x) of SC/ST (POA) Act.

Allegation against the petitioner that he made an

agreement with the informant for sale of his land for a sum of Rs.

80,000/- out of which the informant gave him Rs. 50,000/- and,

thereafter he did not execute the sale deed.

It has been submitted on behalf of the appellant that he

has falsely been implicated in this case and do not deny the factum

of agreement with the informant, but since the land belonged to

the wife of appellant and she has already made agreement to sale



her land in favour of some other person, the appellant could not execute the sale deed in favour of the informant, for which a Panchayati was also held and it was agreed upon that the agreement made by the wife of the appellant should be executed and the informant, aggrieved by the same has filed the present case. Further petitioner has been in judicial custody since 19.04.2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 01st Additional Sessions Judge cum Special Judge, Purnea, in connection with Special SC/ST Case No. 119 of 2016, arising out of Tikapatti P.S. Case No. 23 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or



tamper with the evidence.

- (iii)
- The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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