

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1481 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -SC/ST District- GAYA

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1. Anwar Ahmad Son of late Ziauddin Ahmad.
2. Shibu Yadav @ Jhapru Yadav Son of Arjun Yadav
3. Inderdeo Yadav Son of late Sohrai Yadav, All Resident of Village-Vishrampur, P.S. Imamganj.Dist.-Gaya

.... Appellant/s

Versus

1. The State of Bihar
2. Ram Ekbal Bhuian @ Musul Bhuian, Son of late Ramdas Bhuian,
Resident of Village-Vishrampur, Tola Fatehpur, P.S. Imamganj, Distt-Gaya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. S. Jamil Akhtar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017 The appellants seek pre arrest bail in connection

S.C./S.T. P.S.Case No.9 of 2017 registered for offences punishable

under Sections 420, 406, 467, 468, 471 an 120(B) of the Indian

Penal Code and section 3(i)(f)(i)/2(ra) of of SC/ST (Prevention of

Atrocities) Act.

The allegation against the appellant is that one Indradeo

had taken the informant to the registry office to execute sale-

deed but when he insisted demand of Rs.1,17,000/- the appellant

no.2 abused him by taking cast name and also threatened him,

thereafter they got agreement executed from him and the



appellant have threatened the informant for dire consequences, if informed to others.

Submission of the learned counsel for the appellants is that the land does not belong to the informant rather of the government and the informant has lodged a false and concocted case.

So far other accused persons (appellant no.1 and 3) are concerned there is no specific allegation against them.

Heard learned Special P.P. also.

Having considered both sides and in view of the facts and circumstances, this appeal with respect to appellant no.2 is not maintainable, as such the appellant no.2 (Shibu Yadav @ Jhapru Yadav) is directed to surrender before the court of learned Special Judge, which will be considered on its own merit without being prejudiced by the order of this Court.

So far appellant no.1 and 3 (Anwar Ahmad and Indradeo Yadav respectively) are concerned, let the appellant nos. 1 and 3 in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of



receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of Special Judge SC/ST Act, Gaya in connection with SC/ST Act P.S.Case No.9 of 2017, subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 25.3.2017 passed by the learned Special Judge (S.C./S.T.) Act, Gaya in SC/ST Act P.S.Case No.9 of 2017 in A.B.P.no.35 of 2017, subject to further conditions that appellant will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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