

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2652 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -SC ST District- VAISHALI(HAJIPUR)

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1. Mukesh Kumar Singh @ Bandhu Singh, Son of Late Sadhu Singh,
2. Nitesh Kumar @ Mohan Singh, Son of Mukesh Kumar Singh @ Bandhu
Singh, Both resident of Village Saharhi, P.S. Jandaha, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Navesh Nandan

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-09-2017

Heard the parties.

The appellants seek pre arrest bail in connection with S.C./S.T. P.S.Case No.20 of 2017, registered for offences punishable under Sections 341, 323, 504, 409 and 420/34 and 120(B) Indian Penal Code and Section 3(1) (n, 3(i)) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants as per FIR is that they have taken consideration money of Rs.3,50,000/- and also given possession of the land but they are not ready to execute the sale-deed and even they are not returning the money and when the informant went to enquire about the same, they abused him.

Submission of the learned counsel for the appellants is that allegation of abuse is not in the public place and so far



allegation of not executing the sale-deed is concerned, they are still ready to execute the sale-deed.

Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed.

Let the appellants in the event of arrest or surrender in the court below 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 Additional Sessions Judge Ist-cum-Special Judge, Vaishali in connection with SC/ST P.S.Case No.20 of 2017 , subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 11.08.2017 passed by the Additional Sessions Judge Ist-cum- Special Judge, Vaishali at Hajipur arising out of SC/ST P.S.Case No.20 of 2017.

(Vinod Kumar Sinha, J)

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