

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2631 of 2017

Arising Out of PS.Case No. -1271 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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Deepak Kumar, S/o Late Anirudh Prasad Singh, resident of Village-
Sadanandpur, P.S.- Ballia, District- Begusarai.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Dhananjaya Nath Tiwari

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Complaint Case No. 1271(C) of 2016 lodged for the offences punishable under Sections 420, 467, 468, 323 of the Indian Penal Code and 3(i)(x) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the order dated 19.1.2017 passed by Special Judge, SC/ST Act, Begusarai.

Allegation against the appellant as per FIR is that he has sold a piece of land to the informant and Rs.9 lakh has been taken from him and after taking consideration amount he has not given possession of the land to the informant.



Submission of learned counsel for the appellant is that no case under SC/ST Act is made out against the appellant and appellant is ready to give possession of land or return the money to the informant, if so desires.

Learned Special P.P. could not controvert the above submission.

Having heard both sides and in view of facts and circumstances and also the submission made above, let appellant surrender within a period of six weeks and file a petition to the court below that he is ready to handover possession of land to the informant or return the consideration money, provided that he has to cancel the sale-deed, and in that event, the appellant will 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 Complaint Case No. 1271(C) of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C. and subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,



(2) 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 cancelled.

The appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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