

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3015 of 2017

Arising Out of PS.Case No. -529 Year- 2001 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Umesh Raut son of Petu Raut.
2. Kedar Raut @ Kedar Thakur son of Jiut Thakur
3. Chandra Shekhar Thakur son of Kedar Thakur
4. Mukti Singh @ Mukati Singh @ Mukti Nagar Singh son of Late Nathu
Singh All are resident of Village- Kotarkat, P.S.- Jitna, District- East
Champaran. Appellants

Versus

The State of Bihar Respondent

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-12-2017

Heard learned counsel for the parties.

This is an appeal under Sections 14 A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge, East Champaran Motihari in connection with SC/ST Case No. 01 of 2017 arising out of Complaint Case No. C-529 of 2001 registered under Sections 323, 447, 385, 427 of the Indian Penal Code as well as under Section 3/4 of the Scheduled Castes and Scheduled Tribes (POA) Act.

The complaint based allegation reveals that the appellants' side here have purchased the same land from another person, which was already purchased by the complainant and for that dispute, the appellants allegedly



demanded ransom and committed offence alleged.

Submission of the learned counsel for the appellants is that the parties have entered into a compromise and a compromise petition has already been filed before the court below.

Considering the factum of compromise, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with SC/ST Case No. 01 of 2017 arising out of Complaint Case No. C-529 of 2001, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed and the impugned order is set aside.

(Birendra Kumar, J)

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