

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3192 of 2017

Arising Out of PS.Case No. -358 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Ramendra Kumar Singh, Son of Baliram Singh, Resident of Village-
Umdha, Police Station- Chapra Muffasil, District- Saran at Chapra.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Satya Prakash

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2017 The appellant has challenged the order dated 28.07.2017 passed by the learned 1st Additional Sessions Judge, Saran at Chhapra in connection with Chapra Mufassil P.S. Case No. 358 of 2016 which has been instituted for the offences under Sections 341, 324, 120(B) and 420 of the Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act whereby his prayer for being released on anticipatory bail has been rejected.

The informant Raj Kumari Devi has alleged that her husband is a person of low intellect and the appellant after taking him into confidence by feeding and offering liquor to him, managed to get some blank papers signed by him, presumably for making available to him some benefits from the schemes of the



government. Later, the informant came to learn that a plot of land measuring about two Kathas and ten decimals, in which the husband of the informant also had a share, has been sold to the appellant. The husband of the informant has, according to the informant, categorically denied of having accepted any advance payment or of having vended the property in question to the appellant.

Learned counsel for the appellant has, however, submitted that the husband of the informant had sold the aforesaid plot of land by virtue of a sale deed and had accepted the sale consideration. After the registration of the sale deed, the land in question has been mutated in the name of the appellant and the appellant has been regularly paying rent to the Government of Bihar. It has further been submitted that deliberately and maliciously, the provisions of SC/ST Act have been added in order to add gravity to the offence.

Considering the aforesaid facts, this Court deems it appropriate to set aside the order dated 28.07.2017.

Let the appellant above named, in the event of his surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten



Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Saran at Chhapra in connection with Chapra Mufassil P.S. Case No. 358 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

KKSINHA/-

(Ashutosh Kumar, J)

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