

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3164 of 2017

Arising Out of PS.Case No. -628 Year- 2016 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Md. Mustaque @ Mustaque @ Md. Mustaque, Alam Son of Late Mahtabuddin.
 2. Md. Mustafa, Son of Late Mahtabudin, Both are resident of village-Singhya, P.O.- Runki, P.S.- Rauta, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Md. Helal Ahmad, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-12-2017 This is an appeal under Section 14(A)(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act), Purnea, in Complaint Case No.628 of 2016 in which cognizance has been taken under Sections 341/323/504 of the Indian Penal Code and Section 3((i) (x) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.

The statement of the complainant on oath reveals that the main allegation is that the accused persons took money from the complainant for transfer of some land in his favour. However, they did not register sale deed rather informed that they would



execute the sale-deed in favour of Bindeshwari Paswan and Rukmani Devi.

Considering the statement of the complainant no offence under the provisions of SC/ST Act is made and the matter appears to be of civil dispute. Hence, 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 bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Complaint Case No.628 of 2016, with 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, the appeal stands allowed.

(Birendra Kumar, J)

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