

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2045 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -ANDER District- SIWAN

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1. Shatrudhan Rajbhar, Son of Late Sukath Rajbhar, Resident of Village- Jajjor, Police Station- Andar, District- Siwan.

2. Chinta Devi, Wife of Byash Rajbhar @ Byas Ray, D/o Sukath Rajbhar, Resident of Village- Satwar, P.S.- G.B. Nagar, Tarwara, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

2. Sanjit Kumar Sah, Son of Shambhu Prasad Sah, R/o Mohalla+P.S.+District- Deoghar (Jharkhand), at present R/o Village- Mahmudpur, P.S.- Andar, District- Siwan.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 25.05.2018 by the learned 1st Additional Sessions Judge, Siwan, in connection with Andar Police Station Case No.07 of 2018 registered under Sections 420,467,504 of the Indian Penal Code and Section 3(I)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that the allegation in the complaint based FIR is that the complainant had purchased a land in the



name of his wife from the appellant and co-accused-Rajbhar, two years back. Later on, the complainant came to know that father of the appellant-Shatrudhan Rajbhar had already sold the same land to some other person and as such the complainant was found cheated.

Considering the nature of allegation and disputed question of fact as well as statement of the appellants that they have got no criminal antecedent, let the appellants, above named, be released on bail on furnishing bail bond 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 the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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