

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.276 of 2018

Arising Out of PS.Case No. -84 Year- 2017 Thana -TARAIYA District- SARAN

- =====
1. Lalan Singh, Son of Late Chander Singh @ Chandradeo Singh,
 2. Nitesh Kumar Singh, Son of Lalan Singh, Both are resident of Village- Lauwa,
P.S.- Taraiya, Distt- Saran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-04-2018

Supplementary affidavit filed on behalf of the appellants
is kept on record.

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 2nd Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Saran, Chapra in Taraiya P.S. Case No. 84 of 2017 registered under Sections 341, 323, 384, 427, 504/34 of the Indian Penal Code as well as Section 3(i)(x) of the SC/ST Act.

According to first information report, based on complaint petition, the appellants allegedly demanded ransom from



the complainant when the complainant was constructing his house on Khata No. 468, Plot No. 1015 which was a Gairmajarua land. Further allegation is that the appellants abused by taking caste name of the complainant. Other witnesses have also supported the allegation before the police.

Submission of the learned counsel for the appellants is that in fact there is land dispute between the parties and for that reason, false allegation has been levelled.

Even the supplementary affidavit filed by the appellants does not show a bona fide land dispute. The referred plot measuring 1 Katha and odd was sold by one of the appellants Lalan Singh in favour of Manti Devi, wife of Gautam Ram through registered sale deed dated 26.11.1992.

Considering the nature of allegation and statutory bar under Section 18 of the Act, I do not find any merit in this appeal against refusal of the prayer for anticipatory bail.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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