

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2600 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -SC/ST District- SITAMARHI

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1. Indal Singh, Son of Munsif Singh, Resident of Village- Surgahiya, P.S.- Sursand,
District- Sitamarhi. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 19.06.2018 in A.B.P. No.1081 of 2018/217 of 2018 passed by the learned Special Judge, SC/ST Act, Sitamarhi in connection with Sitamarhi SC/ST P.S.Case No. 13 of 2018 registered under Sections 323,406,420,504/34 of the Indian Penal Code as well as under Sections 3(1)(s)of the Scheduled Castes and Scheduled Tribes Act.

The complainant had purchased a land from the appellant which was subsequently found to be a disputed land.

Submission of learned counsel for the appellant is that the appellant had purchased the said land through registered sale deed dated 05.12.2012 at Annexure-2 and in the year 2014, when the appellant was in need of money for



marriage of his daughter, he sold the land to the complainant. There is no material on the record to substantiate that the land was disputed one.

Considering the aforesaid fact, let the appellant, above named, in the event of his 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 the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant 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 appellant.

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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