

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3598 of 2017

Arising Out of PS.Case No. -787 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

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Budhdeo Sinha @ Budhadev Kumar Sinha, Son of Late Vishwanath Sinha,
resident of Khannabari, P.S. Pawakhali, District- Kishanganj.

.... Appellant

Versus

1. The State of Bihar.
2. Putli Devi, daughter of Amil Lal Harijan, resident of Mandir Tola, P.S. Bahadurganj, District- Kishanganj.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Firoz Ahmad, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2018

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 the learned Special Judge (SC/ST Act), Kishanganj in connection with Special Case No. 33 of 2017 arising out of Complaint Case No.C-787 of 2014 registered under Sections 323,341,504,34 of the Indian Penal Code as well as under Sections 3(1) (x)(x1) of the Scheduled Castes and Scheduled Tribes Act.

The complainant had purchased the land from the appellant through registered sale deed 18 years back. When the mutation was not allowed by the authorities, she



contacted the appellant and appellant allegedly assaulted and torn her cloths.

Considering the background of allegation and nature of allegation, apparently no offence under the provisions of the S.C/S.T. Act is made out.

Hence, 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 as well as condition that 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, this appeal stands allowed and the impugned order is set aside.

(Birendra Kumar, J)

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