

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 1003 of 2018

Arising Out of PS.Case No. -59 Year- 2017 Thana -SC/ST District- GAYA

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1. Ramdahin Singh @ Ramdhin Singh, S/o Late Faujdar Singh, R/o Village -
Dumra, P.S. - Fatuha, District - Patna.

.... Appellant/s

Versus

1. The State of Bihar.
2. Lokesh Kumar Son of Arjun Prasad, R/o Village - Nimthu, P.S. - Atari, District
- Gaya, presently residing at B/28, Mitra Mandal Colony, Anisabad, P.S. -
Phulwari, District - Patna.

.... 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: 18-07-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.02.2018 in A.B.P. No. 388 of 2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya in connection with SC/ST P.S. Case No. 59 of 2017 registered under Sections 323, 341, 420, 448, 427, 504 of the Indian Penal Code as well as Sections 3(1)(f)(g)(p)(r)(s) of the SC/ST Act.



The complainant's father had purchased the referred Plot No. 684 from the appellant through registered sale deed dated 17.06.1999. Allegation is that subsequent thereto co-accused Ranjeet Kumar Singh had purchased the same land from Alpana Kumari through registered sale deed dated 28.11.2013 and on the date of occurrence, they demolished the boundary wall of the complainant and abused by taking caste name.

Learned counsel for the appellant submits that appellant has filed affidavit that after sale by the appellant in favour of father of the complainant, appellant or his legal heirs have no claim on the said land and has no connection with Alpana Kumari or the transaction entered into by Alpana Kumari with co-accused Ranjeet Kumar Singh and Guddu Singh.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the aforesaid submission, 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 bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) 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, 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 and 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)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	19.07.2018
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