IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2876 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- AANDAR District- Siwan

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Manoranjan Yadav @ Manoj Yadav, Son of Surat Yadav, Resident of Village - Bulua Tola, P.S. Andar, District Siwan.

... ... Appellant/s

Versus

The State of Bihar.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Ajay Kumar Tiwary
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 31-08-2018

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 16.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Siwan in A.B.P. No.477 of 2018, arising out of Andar Police Station Case No.07 of 2018 registered under Sections 420, 467 and 504 of the Indian Penal Code and Sections 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellant is a witness on the sale deed executed by co-accused, *Bharat Rajbhar* in favour of informant's wife. Subsequently, the informant came to know that the said land was

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already sold by co-accused to some other persons, as such informant found himself cheated. On demand of refund of consideration money, the occurrence of abuse and assault is alleged. The appellant has got no criminal antecedent.

Considering the nature of allegation, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

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