

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2489 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Deep Narayan Sahani, Son of Jiya Lal Sahani, resident of Village Bada
Bariyarpur, Malah Toli, Ward No. 12, P.S.- Chhataini, District- East
Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Shankar Shrivastava, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-08-2018

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
against the refusal of prayer for bail vide order dated 26.06.2018
passed by the learned 1st Additional Sessions Judge-cum-Special
Judge, East Champaran, Motihari, in connection with Patahi Police
Station Case No.42 of 2018, registered under Sections
323/406/420/504/506 of the Indian Penal Code and Section 3(1)(x) of
the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

The appellant has received consideration money of
Rs.12,00,000/- (Twelve lacs) from the complainant for transfer of



land.

Submission is that the appellant is ready to refund back the consideration money as well as to execute the sale-deed as per desire of the complainant.

Considering the aforesaid undertaking, let the appellant, above named, be released on **provisional bail** on furnishing bail bond of Rs.20,000/- (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, **with condition that if the complainant would express desire before the learned Court-below for getting sale deed executed from the appellant the appellant shall execute the sale deed within two months after receiving the remaining consideration money or shall refund the aforesaid consideration money of rupees twelve lacs within six months through account transfer/bank draft.**

With the aforesaid observation, this appeal stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.08.2018
Transmission Date	08.08.2018

