

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.3267 of 2018**

Arising Out of PS.Case No. -33 Year- 2018 Thana -BAIRIYA District-  
WESTCHAMPARAN(BETTIAH)

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1. Md. Ruhul Amin, Son of Sk. Ali Akhtar, Resident of Village- Miyaur, Dubauli,  
Police Station- Bairiya, District- West Champaran. .... Appellant/s  
Versus

1. The State of Bihar. .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Sanjay Kumar No.7, Adv  
For the Respondent/s : Mr. Sadanand Paswan, SPP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 06-09-2018**

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 24.07.2018 in A.B.P. No.1347 of 2018 passed by the learned 1<sup>st</sup> Additional District and Sessions Judge-cum-Special Judge, Bettiah, West Champaran in connection with Bairiya P.S.Case No. 33 of 2018 registered under Sections 341,323,446,406,420,467,468,471,504 of the Indian Penal Code as well as under Sections 3(I)(r)(w)(ii)(va) of the Scheduled Castes and Scheduled Tribes Act.

The appellant had purchased a land from the informant through registered sale deed vide Annexure-2. Thereafter, name of the appellant was mutated and he is paying the rent to the Govt. vide Annexure-3. Later on, informant lodged the case with allegation that the appellant had taken the



informant saying that he would have to witness on a document. But later on, it revealed that the said document was a transfer deed.

Submission is that after sale of the land, false allegation has been levelled just to pressurize.

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/-

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