

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3850 of 2018**

Arising Out of PS. Case No.-1890 Year-2014 Thana- SAHARSA COMPLAINT CASE  
District- Saharsa

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Yogendra Yadav @ Yogendra Prasad Yadav Son of Late Hari Lal Yadav,  
Resident of Village- Bishanpur, P.S. Bihra, District- Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Renu Devi @ Kishni Devi Wife of Dipu Paswan, Resident of Village-  
Bishanpur, P.S. Bihra, District- Saharsa.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Shiva Shankar Sharma, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, SPP

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

**Date : 14-12-2018**

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 anticipatory bail vide order dated 14.09.2018 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Saharsa, in A.B.P. No.853 of 2018, arising out of Complaint Case No.1890 of 2014, registered under Sections 420/504/406/467/468/471/323/506 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



The complaint based allegation would reveal that the complainant had purchased a land through registered sale deed dated 04.12.2012 from the appellant. When the complainant went for measurement of the land she found herself to be cheated.

Submission is that the said land was purchased by the appellant from Sukhdeo Paswan through registered sale deed dated 06.06.1992 along with some other lands and the transferred land was never sold to anyone else. Hence, there is no question of playing fraud with the complainant. Other allegations are due to aforesaid dispute.

Considering the facts aforesaid, 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 bonds 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, 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, the impugned order is set aside and appeal stands allowed.

**(Birendra Kumar, J)**

Mkr./-

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