

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.997 of 2018

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

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1. Alpana Kumari, W/o Ajay Kumar Sinha
 2. Ajay Kumar Sinha @ Ajay Kumar Singh S/o Bangali Sinha Both are resident of Mohalla - Sidharth Nagar, Jagdeo Path, P.S. - Rupaspur, District - Patna, presently residing at SO - Ahara, near Gaya College, P.S. - Rampur, District - Gaya.
 3. Ranjeet Kumar Singh @ Guddu Singh Son of Ram Kumar Singh R/o Village - Kaler, P.S. - Magadh Medical College, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.
2. Lokesh Kumar Son of Arun 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: 10-05-2018

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, against refusal of the prayer for anticipatory bail by the learned Special Judge, SC/ST Act, Gaya, in connection with SC/ST P.S. Case No. 59/2017 registered under Sections 341, 323, 420, 448, 427 and 504 of the Indian Penal Code as well as Sections 3(1)(f)(g)(p)(r)(s) of the SC/ST Act.

There is *bonafide* land dispute between the parties, which would be evident from para 3 of the complaint petition wherein the complainant has stated that his father had purchased the referred land from co-accused, Ramdahin Singh and for possession on the said land, there is



allegation that the appellants committed abuse by taking caste name of the complainant.

Submission is that the brother of the complainant had also lodged a complaint in the year 2009 for the same dispute and just to pressurize, one after another criminal cases are being lodged by the complainant or by his family members.

Considering the background and nature of allegation, let the appellants, above named, in the event of their 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) each 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 appellants 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 appellants.

Accordingly, the impugned order is set aside and the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi
Ragini

.AFR/NAFR	
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