

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3981 of 2018

Arising Out of PS.Case No. -332 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Birju Singh, Son of Late Ganesh Singh, Resident of Village- Rajoura, P.S.
Mufassil, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Advocate

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-11-2018

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 06.09.2018 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, in Muffasil Police Station Case No.332 of 2018, registered under Section 420 of the Indian Penal Code and Section 3(i)(r)/3(ii)(v)(d) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that on being asked by appellant, father of co-accused Bittu Singh, the informant gave Rs.2,00,000/- to Rajendra Rai for purchase of the referred land. The



sale-deed was not executed by Rajendra Rai nor money was refunded; rather allegation is of abuse and assault by taking caste name.

Considering the background of the allegation and the statement of the appellant on oath that he has got no criminal antecedent fact, let the appellant, above named, be released on 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 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 is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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