

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.521 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- SC/ST District- Patna

SUMANT SINGH, aged about 39 years (male) Son of Late Raghunandan Singh, Resident of Village – Rawaichh, P.S.- Bakhtiyarpur, District- Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr.Lal Babu Singh, Adv.
For the Informant/s	:	Mr. Kanhya Pandey, Adv. Mr. Vinay Kumar Mishra, Adv,
For the Respondent/s	:	Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-02-2019

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 by order dated 18.01.2019 passed by learned **Special Judge S.C./S.T. cum Additional Sessions Judge-IX, Patna**, in connection with Special Case No. 284 of 2018 arising out of **SC/ST Patna P.S. Case No.27 of 2018** registered under Sections 466, 467, 471, 420, 120B, 341, 323, 504, 506 of the IPC and Section 3(i)R of SC/ST (Prevention of Atrocities) Act.

Allegation against the petitioner is of allegedly executing sale deed of land without having Title and



possession over land rather the land belonged to his uncle.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to village politics. There is no specific allegation against the appellant. It has been further submitted on behalf of the appellant that no criminal offence is made out rather the dispute is purely a civil dispute. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide judgment and orders dated 23.01.2019 in Cr. Appeal (SJ) No. 4529 of 2018 and vide judgment and order dated 24.01.2019 in Cr. Appeal (SJ) No.4499 of 2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- 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, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by



the court below.

(3) If the Appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the Appellant.

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

(S. Kumar, J)

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