

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.550 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- KHODAWANDPUR District- Begusarai

VIJAY KUMAR JHA @ BIJAY KUMAR JHA, male, aged 53 years, Son of
Late Shiv Chandra Jha R/o village- Bara, P.S- Khodawandpur, District-
Begusarai

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam, adv.
For the Respondent/s : Mr.Sadanand Paswan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-02-2019

Heard the parties.

This is an appeal under Section 14(A) (2) of SC & ST (Prevention of Atrocities) Act, against the refusal of prayer for bail by order dated 25.01.2019 passed by learned Special Judge, SC/ST (Prevention of Atrocities Act), Begusarai, in connection with Khodawandpur P.S. Case No. 167 of 2018, registered under Sections 341, 323, 354, 406, 420, 467, 504 of the Indian Penal Code and Section 3 (r) (s) of SC /ST Act.

Informant has alleged that appellant and other co-accused committed forgery in execution of sale deed after taking the consideration amount and did not gave possession



over the sold land. Accused persons have also abused her by calling the caste name and also assaulted and threatened her.

It has been submitted on behalf of the appellant that he is innocent and has been implicated in this case due land dispute. The dispute if any is of civil nature. He has executed the sale deed after taking the consideration amount. He has no criminal antecedent and is in custody since 14.10.2019.

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/- (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, 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 Court and their absence on two consecutive dates without sufficient reasons, 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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