

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.869 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- SC/ST District- Buxar *

1. BASANT KUMAR SINGH @ BASANT KUMAR SINGH YADAV Son of Srikant Singh @ Srikant Singh Yadav Resident of Village - Bahuara (Sisradh), P.S.- Rajpur District - Buxar
2. Sita Devi Wife of Srikant Singh @ Srikant Singh Yadav Resident of Village - Bahuara (Sisradh), P.S.- Rajpur District - Buxar
3. Srikant Singh @ Srikant Singh Yadav Son of Late Singhasan Yadav Resident of Village - Bahuara (Sisradh), P.S.- Rajpur District - Buxar

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bachan Jee Ojha

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 02-04-2019

The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 18/2018, registered for offences punishable under Sections 406, 420, 120(B)/34 of the Indian Penal Code and Section 3 (1)(2)(5) of SC/ST Act.

Initially complaint petition was filed by the complainant-informant, which was subsequently referred to the concerned police station for institution of F.I.R. and the allegation is that the informant purchased a piece of land from the appellants but later on he came to know that the name is registered in the name of one Kalawati and accordingly, the informant demanded his money back and the appellants refused to return the money. Hence, the present case.



It has been submitted on behalf of the appellants that appellants have falsely been implicated in this case and in fact the land in question was sold by one Brindaban Bihari Sharma to Lilawati Devi and, thereafter, the same was purchased by the appellants and they have proposed to sell the said land to the informant and as such the entire allegation is false and concocted and further a money suit is going on between the parties with respect to the same dispute.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.- 1st cum Special Judge (SC/ST) Act, Buxar, in connection with SC/ST P.S. Case No. 18/2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

