

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1077 of 2019

Arising Out of PS. Case No.-53 Year-2014 Thana- BARAUNI District- Begusarai

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Gajo Nishad Son of Bhatigan Nishad R/o village- Chanan Bind Toli, P.S.-
Barauni (Chakia O.P), Distt.- Begusarai

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Kumar Binode Bariar

For the Respondent/s : Mr. Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL JUDGMENT

Date : 22-05-2019

Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide
order dated 25.01.2019 passed by learned Special Judge
(SC/ST Act), Begusarai in Barauni P.S. Case No. 53 of
2014 registered under Sections 447, 323, 504, 384 of the
Indian Penal Code and Section 3 (i)(x)(xi) (xv) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Appellant along with two other accused
persons are said to have slated the informant and his



family members and have tried to oust them from their house and also extended threatening of dire consequences to them.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case by the informant to grab his property. He happens to be owner of the disputed land. The aforesaid land has been purchased in the name of his mother and brother Rajo Nisad. The property in question is in possession of the appellant and his family members. The rent receipt has been issued in the name of his mother. The appellant has no criminal antecedent and has been languishing in custody since 25.01.2019. Rajo Nishad @ Rajo Nishat and another have been enlarged on anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.2138 of 2015 vide order dated 08.01.2015.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST Act, Begusarai in connection with Barauni P.S. Case No.53 of 2014.

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

(Prakash Chandra Jaiswal, J.)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
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