

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1396 of 2019

Arising Out of PS. Case No.-105 Year-2018 Thana- MAHKAR District- Gaya

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BALESHWAR MAHTO Son of Late Prayag Mahato, Resident of Village-
Pathra, Police Station- Mahakar, District- Gaya..... Appellant/s
Versus

The State of Bihar..... Respondent/s

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Appearance :

For the Appellant/s : Mr.Manish Kumar No2
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 28-05-2019 Heard learned counsel for the appellant and learned

Spl. P.P. 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 07.03.2019 passed by learned Special Judge SC/ST (Prevention of Atrocities) Act, Gaya in Mahakar P.S. Case No. 105 of 2018 registered under Sections 323, 506, 420, 467 and 468 of the Indian Penal Code and also under Section 3 (d) (r) (w) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by the learned counsel for the appellant that the appellant has no criminal antecedent. Allegation against this appellant is that he has sold piece of land for consideration of Rs. 1,22,000/- to the complainant. After purchasing the same the complainant knew the land in question registered in her favour is not a raiyati land/private land rather a government



land. Learned counsel for the appellant would submit that appellant has purchased the land in question thereafter he executed the sale deed in favour of the complainant. He submits that he is ready to deposit the consideration money Rs. 1,22,000/- in the Court below.

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

Considering the aforesaid, the appellant is granted provisional bail for a period of one month that so he may arrange the necessary amount for depositing in the Court below. Considering the aforesaid the petitioner is granted provisional bail for a period of one month on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount to the satisfaction of learned Exclusive Special Judge SC/ST Gaya in Mahakar P.S. Case No. 105 of 2018. In the event the petitioner deposit Rs, 1,22,000/- within one month the Court below shall make the provisional bail absolute and at the same time the Court below shall refer the dispute to Mediation Centre for final settlement of dispute between the parties.

(Anil Kumar Upadhyay, J)

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