

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3522 of 2018

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

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Gajo Nishad, son of Bhatigan Nishad, Resident of Village- Chanan Bind Toli,
P.S.- Barauni (Chakia OP), District- Begusarai.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Binod Kumar

For the Respondent/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 07-01-2019 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 of anticipatory bail dated 14.08.2018 passed by the Spl. Judge SC/SC(Prevention of Atrocities) Act, Begusarai in ABP No. 1818 of 2018 arising out of Barauni P.S.Case No. 53 of 2014 registered under Sections 323, 384, 447 and 504 of the Indian penal Code and Sections 3(i)(x)(xi)(xv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and other accused persons is of trying to displace the informant from his land.

Submission of learned counsel for the appellant is that appellant has purchased the land in dispute and got the land mutated in the name of his mother and brother and the present



case has been lodged with intention to desert them from the land in dispute.

Heard learned Spl. P.P also, who has opposed the prayer of bail on the ground that case is of the year 2014 and also appellant is named in the FIR.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the appellant. However, if he surrenders before the court below within a period of six weeks from the date of receipt of a copy of this order and makes prayer for regular bail, the same shall be considered by the learned Spl. Judge on its own merit without being prejudiced by this order and try to dispose of , if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

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