

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1923 of 2021**

Arising Out of PS. Case No.-131 Year-2020 Thana- ARA NAWADA District- Bhojpur

Jitendra Kumar Son Of Late Ramishwar Singh R/O Village- Milki, P.S.-
Udwant Nagar, Dist.- Bhojpur

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shivam, Adv
For the State	:	Mr.Vinay Krishna, APP
For the Informant	:	Mr. Nityanand Tiwary, Adv

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 13-07-2021 Let the defect (s) be removed within four weeks
after start of the physical Court.

Heard the parties in virtual Court.

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 for bail by order dated 11.02.2021 in SC/ST Case No.27 of 2020 arising out of Ara Nawada P.S.Case No.131 of 2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhojpur Ara, registered under Sections 420,406,467,468,471,323,504 of the Indian Penal Code, and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



The complaint based allegation would reveal that entire allegation is in the background of non-execution of sale deed in pursuance of agreement to sale between the parties.

Learned counsel for the informant opposed the prayer for bail however could not substantiate as to under what circumstances huge amount of consideration money was paid in cash though Income Tax Act prohibits cash transaction above 20,000/- rupees.

Considering the facts aforesaid and completion of investigation, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and



this appeal stands allowed.

(Birendra Kumar, J)

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