

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1954 of 2020

Arising Out of PS. Case No.-424 Year-2017 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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SUBODH SINGH S/o Late Ramtark Singh Resident of Village-Lohan, P.S.-
Ariyari, District-Sheikhpura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-02-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal has been filed against the order dated 13.03.2020 passed by learned Special Judge (SC/ST Act) cum 1st Additional District and Sessions Judge, Sheikhpura, in connection with SC/ST Case No. 290 of 2017 arising out of Complaint Case No. 424(C) of 2017 registered for the offences punishable under Sections 341/323/504 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(ii)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, this petitioner is alleged to have taken money from the informant, but did not execute the



land in favour of the complainant.

It is submitted on behalf of the appellant that no chit of paper with regard to giving advance money to the appellant has been referred in the complaint case. It is further submitted that for the cause of action arose in the year 2016, the complaint case has been filed in the year 2017. Moreover, the appellant is alleged to have been abused in his house, not in public view, hence, Sections of SC/ST Act is not attracted.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 13.03.2020 passed by learned Special Judge (SC/ST Act) cum 1st Additional District and Sessions Judge, Sheikhpura, in connection with SC/ST Case No. 290 of 2017 arising out of Complaint Case No. 424(C) of 2017 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST Act) cum 1st Additional District and Sessions Judge, Sheikhpura, in



connection with SC/ST Case No. 290 of 2017 arising out of
Complaint Case No. 424(C) of 2017.

(Prabhat Kumar Singh, J)

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