

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3308 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- ATRI District- Gaya

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1. Manoj Singh @ Manoj Kumar Singh Son Of Late Kapil Singh Resident Of Village - Punar, P.S. - Atri, District - Gaya
 2. Santosh Kumar Singh Son Of Late Kapil Singh Resident Of Village - Punar, P.S. - Atri, District - Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Shailesh Chaudhary Son Of Late Madho Chaudhary Resident Of Village - Punar, P.S. - Atri, District - Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gajendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
		Mr. Avinash Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-09-2023 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 29.05.2023 passed by Exclusive Special Judge SC/ST Special Court, Gaya in connection with Atri P.S. Case No. 30 of 2023, registered under Sections 406, 420, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. It is alleged that the appellants did not execute the sale deed in favour of the informant even after receiving the consideration money.



4. It is submitted on behalf of appellants that the dispute between the parties has already been amicably resolved and in this regard a joint compromise petition has been filed in the court of learned Special Judge, SC/ST, Gaya on 09.05.2023 (copy of compromise petition annexed as Annexure '2' to the appeal).

5. Learned counsel for the respondent No. 2 does not dispute the contention made on behalf of the appellants.

6. Considering the facts and circumstances of the case, impugned order dated 29.05.2023 passed by Exclusive Special Judge SC/ST Special Court, Gaya in connection with Atri P.S. Case No. 30 of 2023 is set aside.

7. Let the appellants, as named above, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, SC/ST Special Court, Gaya in connection with Atri P.S. Case No. 30 of 2023.

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

(Prabhat Kumar Singh, J)

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