

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.126 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- TANKUPPA District- Gaya

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BIPIN KUMAR @ BIPIN KUMAR SINHA S/O Late Sachita Nand Prasad @
Shiv Sharan Ambastha R/O Durga Asthan, Samir Takia, P.S- Civil Lines,
District- Gaya (Deed Writer, License No- 204/2002, Gaya Registry Office).

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Munsh Manjhi S/O Late Shukar Manjhi R/O Village- Bahera, P.S-
Tankuppa, District- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sudhir Kumar Sinha
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-06-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 03.05.2023, the
informant/complainant was informed about his appearance in
this case by the learned Special P.P. for the State, but nobody
has entered appearance on his behalf.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’)
against the refusal of prayer of anticipatory bail vide order dated
08.12.2022, passed by learned Exclusive Special Judge, SC/ST,
Gaya in connection with Tankuppa P.S. Case No.01 of 2022,



registered under Sections 323, 406, 419, 420, 504 and 34 of the Indian Penal Code and Sections 3(g)(r)(s) of the SC/ST Act.

Allegedly, the FIR named accused persons executed several deeds of land of the complainant in their names and started ploughing the field of the complainant and on protest, they showed the sale deed and abused the complainant.

Learned counsel for the appellant submits that appellant is innocent and has falsely been implicated in the present case. It is submitted that appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that appellant is a deed writer and no specific overt act is alleged against him. It is submitted that other co-accused persons have already been enlarged on anticipatory bail by this Court vide order dated 22.03.2023 passed in Criminal Appeal (SJ) No.172 of 2023.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellant.

Taking into consideration the facts aforesaid, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of



the like amount each to the satisfaction of learned Exclusive
Special Judge, SC/ST, Gaya in connection with Tankuppa P.S.
Case No.01 of 2022, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

S.KUMAR/-

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