

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2756 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- SC/ST District- Gaya

Jamuna Singh @ Yamuna Singh S/O Late Mahavir Singh R/O MOhalla-
Hario,P.S.-Magadh Medical,Distt-Gaya

... .. Appellant/s

Versus

- 1. The State of Bihar Bihar
- 2. RAJESH KUMAR SON OF LATE RAM PRASAD DAS RESIDENT OF
VILLAGE- VINOBA NAGAR, P.S.- MAGADH MEDICAL , DISTRICT-
GAYA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Girish Chandra Jha
For the Respondent/s	:	Mr.Sadanand Paswan
For the Informant	:	Mr.Ramakant Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 21-09-2024 Heard learned counsel for the appellant as well as

learned counsel for the informant.

2. This appeal has been preferred on behalf of the
appellant under Section 14-A(2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act for setting aside
the order dated 27.05.2024 passed by the learned Special Judge,
SC/ST, Gaya in connection with SC/ST P.S. Case No. 03 of
2024, registered for the offences punishable under Sections 341,
323, 420, 467, 471, 504, 506, 120(B) of the Indian Penal Code
& Section 3(I)(r)(s) 3(i)(w) 3(2) (va) of SC and ST (Prevention
of Atrocities) Act, whereby the prayer for bail of the appellant



has been rejected.

3. As per allegation, the appellant and his associates executed a sale agreement of land in favour of the informant, pertaining to Khata No. 28, on the basis of fake Aadhar card and thus cheated him Rs. 38,50,000/-. The further allegation against him is that when the informant asked him to get the land in question registered, he along with his associates abused him by calling his caste name and threatened the informant for dire consequences.

4. The learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated in this case. He is neither vendor nor vendee of the land in question and he is not the attesting witness. He is not related to the transaction in any matter and he has falsely been implicated merely because he is full brother of the main accused.

5. On the other hand, Mr. Ramakant Sharma, the learned senior counsel for the informant has opposed the prayer for bail and submitted that the appellant is full brother of main accused and he also assisted the main accused in commission of the alleged occurrence.

6. Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order



dated 27.05.2024 passed by the learned Special Judge, SC/ST, Gaya is set aside.

7. Accordingly, the appellant above-named, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Gaya in connection with SC/ST P.S. Case No. 03 of 2024 with the following condition:-

(i) Before accepting the bail bond, the learned court below shall verify the criminal antecedent of the petitioner and if it is found that he is involved in any other case except the case mentioned in paragraph no. 3 of the bail petition, his bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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