

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3068 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- JANKINAGAR District- Purnia

Nanhka Yadav @ Nand Kishor Yadav SON OF Ram Chandra Yadav
VILLAGE- RAMPUR TILAK WARD NO. 8, PS- JANKI NAGAR, DIST-
PURNEA

... .. Appellant/s

Versus

1. The State of Bihar
2. SUSHILA DEVI WIFE OF LATE RAGHAV DAS VILLAGE- RAMPUR
TILAK, WARD NO. 11, PS- JANKINAGAR, DIST- PURNEA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kumar Uday Singh
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 08-01-2025 | <ol style="list-style-type: none">1. Heard learned counsel for the appellant and learned Additional Public Prosecutor for the State.2. An order, dated 18.05.2024, passed by learned Special Judge SC/ST Act, Purnea, in ABP No. 47 of 2024, is under challenge in the present appeal preferred under Section 14-A (2) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, whereby the anticipatory bail application of the appellant in connection with Jankinagar Police Station Case No. 24 of 2024 registered for the offence punishable under Sections 341/323/354/504/506 of the Indian Penal Code and Sections 3 (1)(r)(s) of the Schedule Caste/Schedule Tribe |
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(Prevention of Atrocities) Act, has been rejected.

3. The prosecution case, as per the First Information Report, is that on 04.11.2023, at about 08:30 AM in the morning, the informant had gone to the house of the appellant to give a sum of Rs. 25,000/-, which the appellant refused to take and demanded a sum of Rs. 2,65,000/- from her and abused by her caste name and pulled her down on the ground by her hair.
4. Learned counsel for the appellant submits that for the occurrence which has allegedly taken place on 04.11.2023, the written information has been given to the police after much delay on 20.01.2024. He further submits that the present case arises out of land dispute inasmuch as the informant's husband Late Raghav Das mortgaged a piece of land with the appellant and in the Panchayati held on 24.02.2024, the matter has been compromised between the appellants and the informant and the land mortgaged with the appellant has been returned to the informant and now cordial relation has been restored between them.
5. Despite service of notice, no one appeared on behalf of the respondent no. 2.



6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there appears to be land dispute between the informant and the appellant which has now been settled in the panchayati, I am inclined to grant the appellant privilege of anticipatory bail.
7. This appeal is, accordingly, allowed and the order, dated 18.05.2024, passed by learned Special Court SC/ST Act, Purnea, in ABP No. 47 of 2024, is set aside.
8. Let the appellant, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Court SC/ST Act, Purnea, in connection with Jankinagar Police Station Case No. 24 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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