

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1774 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

1. Chandan Kumar, S/o Madan Sah, resident of Village- Bhagwanpur Kanu Tola,
P.S.- Bhagwanpur, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Satya Prakash Sinha, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 03.04.2018 by the learned Additional District and Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur, in connection with Bhagwanpur Police Station Case No.25 of 2018 registered under Sections 420,406,120(B)/34 of the Indian Penal Code, Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 138 of N.I. Act.

According to complaint based allegation, on persuasion of this appellant, the complainant had given money,



to get back door entry in civil court, to the appellant. Thereafter, the appellant issued refund cheque which bounced.

Submission of the learned counsel for the appellant is that the complainant was himself indulged in attempting to get back door entry in public employment. Hence, he cannot take protection of law. Moreover, the offence of cheque bouncing is bailable one. Other allegations of commission of abuse and assault are also bailable.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2018
Transmission Date	16.07.2018

