

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1973 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- BHAGWANPUR District- Vaishali

Amar Sah

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satya Prakash Sinha

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.03.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur in A.B.P. No.396 of 2018, arising out of Bhagwanpur Police Station Case No.25 of 2018 registered under Sections 420, 406, 120 (B)/34 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act as well as Section 138 of the Negotiable Instrument Act.

The appellant is brother of co-accused, *Chandan Kumar*. The main allegation is against *Chandan Kumar* of cheating with the informant by taking Rs.2,10,000/- (Rupees Two Lacs and Ten



Thousand) for managing job for the informant in the Civil Court. The refund cheque was issued by co-accused, *Chandan Kumar* and this appellant.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

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Uploading Date	
Transmission Date	

