

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1449 of 2018

Arising Out of PS.Case No. -70 Year- 2016 Thana -SC/ST District- SASARAM (ROHTAS)

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1. Ayodhya Singh S/o Late Triveni Singh, R/o Vill.- Jorawarpur (Centt), P.O.-
Akaudhi Gola (Rohtas), P.S.- Akaudhi Gola (Rohtas), District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinod Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-07-2018

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 anticipatory bail vide order dated 28.11.2017 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in A.B.P. No.436 of 2017, arising out of SC/ST Dehri Police Station Case No.70 of 2016, registered under Sections 147/148/149/420/354/504/506 of the Indian Penal Code and Sections 3(i)(r)(s)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant had lodged Complaint Case No.220 of 2016 on 27.09.2016 against the present informant alleging therein that a cheque issued by the informant in favour of the appellant bounced. Thereafter, the present FIR has been lodged with general and omnibus



allegation of commission of abuse and assault. In the background of allegation the chances of mala fide prosecution of the appellant cannot be completely ruled at least for the purpose of consideration of this prayer for anticipatory bail.

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 bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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 appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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