

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.840 of 2020

Arising Out of PS. Case No.-290 Year-2019 Thana- KALYANPUR District- East Champaran

Chanchan Rai, aged about 35 years, male, Son of Chandrika Rai, R/o Bakhari,
Bairagi Tola, P.S.- Kalyanpur, District- East Champaran at Motihari.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Krishna Kant Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-06-2020 Heard Mr. Krishna Kant Singh, learned counsel

for the petitioner and Mr. Sadanand Paswan, learned APP for

the State.

This appeal is directed against the order dated

10.02.2020 passed by the learned 1st Additional Sessions

Judge-Cum-Special Judge, SC/ST Act, East Champaran,

Motihari in connection with Kalyanpur P.S. Case No. 290 of

2019, registered for the offences under Sections 341, 323

and 504/34 of the Indian Penal Code and Section 3(i)(r)(s)

of the Scheduled Castes & Scheduled Tribes (Prevention of

Atrocities) Act, 1989, whereby the prayer for grant of bail of



the appellant has been rejected.

The appellant, who is a Public Distribution Shop owner, is alleged to have refused delivery of essential items to the informant and others and also abused them by taking their caste name.

It has been submitted on behalf of the appellant that in fact the informant and other beneficiaries had wanted extra units during the time of *Chhath* festival and when this was denied, this false accusation has been levelled.

The appellant appears to be in custody since 24.01.2020.

Regard being had to the nature of accusation against the appellant, the order dated 10.02.2020 is set-aside.

The appellant/Chanchan Rai is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-Cum-Special Judge, SC/ST Act,



East Champaran, Motihari in connection with Kalyanpur P.S.

Case No. 290 of 2019.

The appeal stands allowed.

(Ashutosh Kumar, J)

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