

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5213 of 2019

Arising Out of PS. Case No.-291 Year-2015 Thana- HISUWA District- Nawada

ANIL KANDU @ ANIL KUMAR GUPTA Son of Late Balo Saw Resident of
Village- Pakariya, P.S.- Hisua, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar Verma, Advocate.

For the Respondent/s : Mr.Sadanand Paswan, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-02-2020 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 vide order dated 23.10.2019 passed by the learned 1st Addl. Sessions Judge cum Special Judge, Nawada in B.P. No. 2435 of 2019, Spl. (H) Case No. 249 of 2017, arising out of Hisua P.S. Case No. 291 of 2015 registered under Sections 147, 149, 323, 341, 504, 506 and 302 of the Indian Penal Code and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that co-accused Munna Shaw, Santosh Saw and Umesh Kandu have been allowed bail by different co-ordinate Benches of this Court vide order dated 05.12.2016 and 17.03.2017 passed in Cr. Appeal (SJ) No.



839 of 2016 and Cr. Appeal (SJ) No. 1333 of 2016 respectively. Appellant has got no criminal antecedent and is in custody since 16.09.2019.

Considering the aforesaid facts, let the appellant, above named, 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, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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.

(c) The appellant shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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