

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1571 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- NAYAGAON District- Begusarai

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KANHAIYA KUMAR @ KANAHAIYA KUMAR, Son of Lakshmi Singh @
Sunil Kumar Singh, Resident of Village- Sonapur Bharath, P.S.- Nayagaon,
District- Begusarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Braj Bhushan Poddar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-07-2021 Let the defects be removed within four weeks of the
start of the physical Court.

Heard the parties in virtual Court.

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 22.12.2020 passed by the learned Special Judge,
SC/ST (POA) Act, Begusarai in Nayagaon P.S. Case No. 39 of
2020 registered under Sections 147, 148, 149, 341, 323, 385,
307 and 379 of the Indian Penal Code, Section 27 of the Arms
Act and Section 3(i)(r), 3(i)(s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is of demand of ransom and commission of
assault and theft of money. The main allegation of firing and



commission of other act is against other co-accused persons. No specific overt act is there against the appellant. Investigation of the case is already complete.

Considering the facts aforesaid, 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 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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