

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1782 of 2021**

Arising Out of PS. Case No.-57 Year-2020 Thana- CHANDI District- Nalanda

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BALGOVIND PRASAD @ MAKHLU Son of Late Harinandan Gope
Resident of Village - Sandhbiga, P.S.- Karaiparusarai, Distt.- Nalanda.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

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Appearance :

For the Appellant/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-07-2021 Let the defects be removed within four weeks after
start of the physical Court.

Heard the parties in virtual Court proceeding.

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 by order dated 15.12.2020 passed by the learned 1st Additional Sessions Judge, Nalanda at Biharsharif in connection with SC/ST Case No. 25 of 2020 arising out of Chandi P.S. Case No. 57 of 2020 registered under Section 302 of the I.P.C., Section 27 of the Arms Act and Section 3(i)(r) of the SC/ST Act.

The FIR of the occurrence of murder is against unknown. Name of the appellant surfaced in the confessional statement of co-accused. Thereafter, the appellant was remanded



in this case from other case. Investigation of the case is already complete. Appellant is in custody since 11.09.2020.

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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