

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1962 of 2021**

Arising Out of PS. Case No.-329 Year-2019 Thana- DEEPNAGAR District- Nalanda

Anand Kumar @ Kallu @ Kallu Singh Son Of Shri Valmiki Singh @ Balmiki
Singh R/O Village- Navi Nagar, P.S.- Deepnagar, Distt.- Nalanda

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Harsh Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 20-07-2021 Heard the parties in virtual Court proceeding.

Let the defects, if any, be removed within two weeks
of the start of the physical Court.

This is an appeal under Section 14(A) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the refusal of prayer for bail by the
learned 1st Additional Sessions Judge-cum-Special Court,
Biharsharif, Nalanda, in connection with Deepnagar Police
Station Case No.392 of 2019 registered under Sections
323/341/379/307/34 of the Indian Penal Code, Section 27 of the
Arms Act and Sections 3(1)(r)(s)/3(2)(v)(a) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989.

According to FIR, when others started assault against



the informant the appellant, who was hiding himself, took out pistol and fired causing injury at left chest. The doctor has found consistent injury and fracture of 7-8 ribs.

Learned counsel for the appellant submits that injury report is a manufactured document. No hospital authority was examined by the police during investigation nor the person who was accompanying the injured on his motorcycle was a witness before the police. Appellant is in custody since 19.09.2019. Investigation of the case is already complete.

Considering the nature of allegation and criminal antecedent of the appellant, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused.

Let the appellant renew the prayer for bail after framing of the charges before the Court-below itself. The learned Special Judge is directed to ensure framing of the charges within three months.

With the aforesaid observation, the appeal stands rejected.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

