

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4454 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, Resident of Village - Navi Nagar, P.S. - Deep Nagar, District - Nalanda.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Kumar, Advocate
For the Respondent/s : Mrs. Usha Kumari I, Spl.P.P.

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

Date : 17-11-2021

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 06.10.2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 329 of 2019 registered under Sections 323, 341, 379, 307/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(1)(r)(s)/2(v)(a) of the SC/ST Act.

Earlier prayer for bail to the appellant was refused vide order at Annexure-1 with liberty to renew the prayer, after framing of the charges, before the learned court below itself.



Submission is that charges have already been framed but the learned court below refused the prayer for bail by the impugned order. Appellant is in custody since 19.09.2020.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) 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.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	18.11.2021
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