



Bail Act 1976

1976 CHAPTER 63

Bail for accused persons and others

4 General right to bail of accused persons and others.

- (1) A person to whom this section applies shall be granted bail except as provided in Schedule 1 to this Act.
- (2) This section applies to a person who is accused of an offence when—
 - (a) he appears or is brought before a magistrates' court or the Crown Court in the course of or in connection with proceedings for the offence, or
 - (b) he applies to a court for bail in connection with the proceedings.

This subsection does not apply as respects proceedings on or after a person's conviction of the offence or proceedings against a fugitive offender for the offence.
- (3) This section also applies to a person who, having been convicted of an offence, appears or is brought before a magistrates' court to be dealt with under [F1Part II of Schedule 2 to the Criminal Justice Act 1991 (breach of requirement of probation, community service, combination or curfew order)].
- (4) This section also applies to a person who has been convicted of an offence and whose case is adjourned by the court for the purpose of enabling inquiries or a report to be made to assist the court in dealing with him for the offence.
- (5) Schedule 1 to this Act also has effect as respects conditions of bail for a person to whom this section applies.
- (6) In Schedule 1 to this Act "the defendant" means a person to whom this section applies and any reference to a defendant whose case is adjourned for inquiries or a report is a reference to a person to whom this section applies by virtue of subsection (4) above.
- (7) This section is subject to [F2section 41 of the Magistrates' Courts Act 1980] (restriction of bail by magistrates' court in cases of treason).

Status: Point in time view as at 01/10/1992. This version of this provision has been superseded.

Changes to legislation: Bail Act 1976, Section 4 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 4(3) substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para.21**; S.I. 1992/333, art. 2(2), **Sch.2**.
- F2** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 7 para. 145**

Status:

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