

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3352 of 2022**

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

Shadeo Chaudhary @ Satyadev Chaudhary @ Satyadev Prasad Chaudhary
Son Of Mahesh Chaudhary R/O Village- Kinaru, P.S.- Maniari, District-
Muzaffarpur

... .. Appellant

Versus

1. The State Of Bihar
2. Rani Devi Wife Of Niranjana Day Resident Of Village- Kinaru, P.S.- Maniari,
District- Muzaffarpur

... .. Respondents

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-11-2022 Heard learned counsel for the appellant and the State.

Instant appeal has been filed for grant of pre-arrest
bail in a case instituted for the offence punishable under sections
376, 506/34 of the IPC read with sections 3(2)(va) of the SC/ST
(POA) Act.

It is submitted by learned counsel for the appellant
that the police after investigation submitted final form in the
case but differing with the same, Court below took cognizance
of the offence punishable under SC/ST Act.

Learned counsel appearing for the State submits that
once cognizance of the offence is taken under the SC/ST Act,
pre-arrest bail petition is not maintainable in view of judgment
of the Supreme Court in case of Bachu Das Vs. State of Bihar



and others (Criminal Appeal No.314 of 2014 (arising out of
SLP(Cri) No.8558 of 2010.

In view of the aforesaid judgment of the Hon'ble
Supreme Court, this appeal seeking pre-arrest bail to the
appellants, is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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