

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2201 of 2023

Arising Out of PS. Case No.-93 Year-2021 Thana- ISUAPUR District- Saran

1. ASHRAF MIAN @ MD. ASRAF SON OF JABBAR MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
2. AMZAD ALI @ BHUWAR MIAN SON OF JABBAR MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
3. JALALUDDIN @ JALALUDDIN MIAN SON OF KUDRAT MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
4. IGRAIL MIAN @ IZRAIL MIAN SON OF KUDRAT MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
5. ESRAIL MIAN @ ISRAIL MIAN SON OF JALALUDDIN MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
6. MOHAMMAD NAIM @ NAEM MIAN SON OF KARMULLAH MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA
7. MD CHOTAN @ CHHOTAN MIAN SON OF LATE NASRUDDIN MIAN RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA

... .. Appellant/s

Versus

1. The State of Bihar
2. RAMISHWAR RAM SON OF LATE JAMUNA RAM RESIDENT OF VILLAGE- MURWAN KHASH, PS- ISUAPUR, DISTT- SARAN AT CHHAPRA

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 16-08-2023 1. Heard learned counsel for the appellants and the State.
2. It is submitted by the State that the prayer for pre-



arrest bail of the appellant is not maintainable as cognizance has already been taken by the court below also for the offences punishable under the SC/ST Act. In this regard, reliance is placed in the case of **Bachu Das Vs. State of Bihar and others**, reported in **(2014) 3 Supreme Court Cases 471**.

3. In view of the aforesaid pronouncement of law rendered by Hon’ble the Supreme Court, appellants’ prayer of pre-arrest is refused.

(Prabhat Kumar Singh, J)

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