

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.262 of 2021

Arising Out of PS. Case No.-34 Year-2019 Thana- KHIRHAR District- Madhubani

1. Ram Narayan Sah Son Of Nathuni Sah Resident Of Village - Borhar, P.S.- Khirahar, Distt.- Madhubani.
2. Praduman Sah Son Of Ganga Sah Resident Of Village - Borhar, P.S.- Khirahar, Distt.- Madhubani.
3. Sanjeev Sah Son Of Ram Narayan Sah Resident Of Village - Borhar, P.S.- Khirahar, Distt.- Madhubani.
4. Savita Devi @ Subita Devi W/O Praduman Sah Resident Of Village - Borhar, P.S.- Khirahar, Distt.- Madhubani.
5. Gita Devi @ Geeta Devi W/O Ram Narayan Sah Resident Of Village - Borhar, P.S.- Khirahar, Distt.- Madhubani.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bibha Kumari Sri Narayan Das Resident of Village-Borhar, P.S.-Khirhar, District-Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Prakash
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-10-2023 Though, this case has been listed under the heading ‘For Office Notes’ but, with the consent of both the parties, the same is being heard on merit.

2. Heard learned counsel for the appellants, respondent no. 2 and learned Special Public Prosecutor for the State.

3. This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for bail vide order dated



05.12.2019, passed by learned 1st Additional District and Sessions Judge, Madhubani in connection with Khirhar P.S. Case No. 34 of 2019, registered under Sections 147, 149, 341, 323, 325, 379, 354, 427, 504, 506 of the IPC and Sections 3(i)(x) of SC/ST Act.

4. Learned counsel for the respondent no. 2 submits that the cognizance has been taken against the appellants, therefore, this appeal is not maintainable in view of the judgment of the Apex Court in the case of *Bachu Das vs. State of Bihar and others reported in (2014) 3 Supreme Court Cases 471*.

5. Considering the facts aforesaid, this appeal is dismissed as not maintainable.

(Anjani Kumar Sharan, J)

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