

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.287 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- SC/ST District- Begusarai

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1. Bhagwan Das @ Bhagban Das Son Of Bhikhari Das Resident Of Village-Kothiya, Police Station-Matihani, District-Begusarai.
 2. Amit Kumar Son Of Bhagwan Das @ Bhagban Das Resident Of Village-Kothiya, Police Station-Matihani, District-Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vinod Tanti Son Of Moti Tanti Resident Of Village-Mahmadpur, Police Station-Nayagaon, District-Begusarai.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Manoj Kumar, Adv.
For the State	:	Mr. Binay Krishna, Spl. P.P.
For the Informant	:	Mr. Sandip Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2024 Heard learned counsel for the appellants, learned Special P.P. for the State and learned counsel for O.P. No.-2.

2. This appeal has been filed against the order dated 02.12.2023 passed by learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with SC/ST P.S. Case No. 2 of 2021 registered under Sections 341, 323, 379, 504 and 34 of the Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of the SC/ST (POA) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. At the outset, learned counsel for the respondents submit that in this case, cognizance has already been taken by



the learned Court below against these appellants and as such, this anticipatory bail application is not maintainable, in view of the judgment of the Supreme Court in case of *Bachu Das Vs State of Bihar and others*, reported in (2014) 3 S.C.C. 471.

4. In view of law laid down by the Hon’ble Supreme Court in the case of *Bachu Das (supra)*, the present appeal, filed for pre-arrest bail to the appellants, is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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