

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.658 of 2023**

Arising Out of PS. Case No.-261 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

KRISHNA MOHAN SAHU Son of Pramod Sahu Resident of Village- Mahra,
P.S.- Singhiya, District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Yogendra Chaupal Resident of Village- Mahra, P.S.-
Singhiya, District- Samastipur

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl. Public Prosecutor

=====

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

4 25-07-2024 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor for the State.

2. This appeal has been filed against the order dated
21.10.2022 passed by learned Special Judge SC/ST(POA) Act,
Samastipur in C.R. No. 261 of 2021, T.R. No. 1613 of 2022,
registered under Sections 147, 149, 323, 504, 341, 325, 307,
504, 506 of the Indian Penal Code and Sections 3(i)(n)(s) of the
SC/ST Act, whereby the prayer for anticipatory bail of appellant
has been rejected.

3. Learned Spl. Public Prosecutor appearing for the
State vehemently opposed the bail application and submitted
that the instant appeal is not maintainable as cognizance under



SC/ST Act has already been taken by learned Court below and in this connection, he refers to a decision of the Hon’ble Supreme Court, passed in case of ***Bachu Das Vs State of Bihar and others***, reported in **Cr. Appeal No. 314 of 2014**.

4. Considering the law laid down by the Hon’ble Supreme court in case of Bachu Das (supra), instant appeal filed for pre-arrest bail to the appellant, is dismissed as being not maintainable.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

