

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1453 of 2024

Arising Out of PS. Case No.-63 Year-2015 Thana- INDUSTRIAL District- Bhagalpur

1. PARWATI DEVI WIFE OF LATE RAMANAND SINGH RESIDENT OF KRISHNAPURI COLONY, P.S. - INDUSTRIAL AREA, DISTRICT - BHAGALPUR
2. GUDDU @ BHUTESH BHUSHAN SON OF LATE RAMANAND SINGH RESIDENT OF KRISHNAPURI COLONY, P.S. - INDUSTRIAL AREA, DISTRICT - BHAGALPUR
3. SUMAN @ SUMAN KUMAR SAURABH SON OF LATE RAMANAND SINGH RESIDENT OF KRISHNAPURI COLONY, P.S. - INDUSTRIAL AREA, DISTRICT - BHAGALPUR

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. REKHA DEVI WIFE OF RAMDEO PRASAD RAJAK RESIDENT OF VILLAGE AND POST - GOPALPUR, P.S. - INDUSTRIAL AREA, DISTRICT - BHAGALPUR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Indeshwari Mandal
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-10-2024 Heard learned counsel for the appellants and learned
Spl.P.P for the State.

2. This appeal has been filed against order dated 11.01.2024 passed by learned A.D.J.-II cum Special Judge (SC & ST Act), Bhagalpur in Industrial P.S. Case No. 63 of 2015, registered for the offence under Sections 506/34 of the Indian Penal Code and Section 3(1)(x) of the SC/ST (POA) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. The F.I.R. has been lodged in the year 2015 and appellants have approached this Court after lapse of nine years under Section 14(A)(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act for grant of anticipatory bail. Moreover, in this case, after submission of chargesheet, the learned Court below has already taken cognizance under the provisions of SC/ST Act against these appellants and as such, this appeal, filed for grant of anticipatory bail to the appellants, is not maintainable, in view of the decision of the Hon’ble Supreme Court in case of **Bachu Das Vs State of Bihar and others**, reported in (2014) 3 S.C.C. 471.

4. Considering the delay in approaching this Court and the 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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