

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2376 of 2024

Arising Out of PS. Case No.-45 Year-2020 Thana- SC/ST District- East Champaran

1. Harendra Thakur @ Harendra Kumar Thakur Son Of Late Bangali Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran
2. Ram Naresh Thakur Son Of Late Bangali Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran
3. Ram Suresh Thakur Son Of Late Bangali Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran
4. Mukesh Kumar Thaku R Son Of Late Narad Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran
5. Gyanti Devi Wife Ram Naresh Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran
6. Pratima Devi Wife Of Harendra Thakur Vill - Rulahi, Purana Tola, P.S. - Muffasil, Motihari Dist - East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Most. Fulijhari Devi Wife Of Late Haricharan Ram Vill - Rulahi, P.S. - Muffasil, Motihari Dist - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Madhurendra Kumar, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2024 Heard learned counsel for the appellants and learned
Special P.P. for the State.

2. This appeal has been filed against the order dated
15.03.2024 passed by learned Special Judge SC/ST Act, East
Champaran at Motihari in connection with Motihari SC & ST
P.S. Case No. 45 of 2020, Tr. No. 18 of 2023 registered under
Sections 341, 323, 324, 504, 447, 506/34 of the Indian Penal



Code and Sections 3(1)(a)(f)(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 Special P.P. for the State submits that in this case, cognizance has already been taken by the learned Court below 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. 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.)

anay

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

