

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2651 of 2024

Arising Out of PS. Case No.-17 Year-2021 Thana- SC/ST District- Madhepura

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1. SUDAMA DEVI WIFE OF RAJENDRA SAH RESIDENT OF VILLAGE - KUPRI WARD NO.- 14, P.S. - BHATANI, DISTRICT - MADHEPURA
 2. RAJENDRA SAH SON OF BHOLA SAH RESIDENT OF VILLAGE - KUPRI WARD NO.- 14, P.S. - BHATANI, DISTRICT - MADHEPURA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. BINDESHWARI URAUN SON OF LATE SAINI URAUN RESIDENT OF VILLAGE - KUPRI WARD NO.- 14, P.S. - KUMARKHAND (BHATANI O.P.), DISTRICT - MADHEPURA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Vishoka Nand
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the appellants and learned Special P.P. for the State.

2. This appeal has been filed against the order dated 24.04.2024 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhepura in connection with SC/ST Madhepura P.S. Case No. 17 of 2021 registered under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and Sections 3(1)(s)(w), 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)

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