

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4807 of 2021

Arising Out of PS. Case No.-261 Year-2013 Thana- ROSERA District- Samastipur

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1. RAM NARAYAN MANDAL Son of Palku Mandal Resident of Village - Fatehpur, Police Station - Rosera, District- Samastipur.
 2. Ram Bihari Mandal @ Raj Bihari Mandal Son of Ram Narayan Mandal Resident of Village - Fatehpur, Police Station - Rosera, District- Samastipur.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Sanjit Paswan, S/o Bahadur Paswan, Resident of Village- Pittadovi, P.S.- Rosera, District- Samastipur.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For Respondent No. 2	:	Mr. Madhav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-09-2024

1. Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 10.01.2019, passed in a case registered for the offence punishable under Sections 341, 323, 324, 504 and 34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of these appellants has been rejected.

3. At the outset, it is submitted by learned counsel appearing on behalf of Respondent No. 2 that the prayer for grant of pre-arrest bail of these appellants is not maintainable, as



cognizance has already been taken by the learned trial court also for the offences punishable under the SC/ST Act. In this regard, reliance is placed in the case of **Bachu Das Vs. State of Bihar and others**, reported in **(2014) 3 Supreme Court Cases 471**.

4. In view of the aforesaid submissions and pronouncement of law rendered by the Hon’ble Supreme Court in the case of **Bachu Das** (*supra*), appellants’ prayer for grant of pre-arrest bail is dismissed.

(Prabhat Kumar Singh, J)

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