

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4067 of 2024

Arising Out of PS. Case No.-17 Year-2022 Thana- SC/ST District- Begusarai

1. Sunil Kumar @ Sunil Kumar Mahto Son of Bishundeo Mahto Resident of Village - Bagha, Ward No. - 29, P.S. - Lohianagar (erstwhile - Town), District - Begusarai
2. Kiran Devi Wife of Sunil Kumar @ Sunil Kumar Mahto Resident of Village - Bagha, Ward No. - 29, P.S. - Lohianagar (erstwhile - Town), District - Begusarai
3. Guddu Kumar @ Kunal Kishore Son of Sunil Kumar @ Sunil Kumar Mahto Resident of Village - Bagha, Ward No. - 29, P.S. - Lohianagar (erstwhile - Town), District - Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravindra Paswan Son of Ramswaroop Paswan Resident of Village - Kaithma, P.S. - Mufassil, District - Begusarai

... .. Respondent/s

Appearance :

For the Appellants : Mr. Kumar Praveen, Advocate
For the State : Mr. Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-09-2024

1. Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 08.08.2024, passed in a case registered for the offence punishable under Sections 307, 323, 342, 436 and 452 of the Indian Penal Code and Section 3(1)(r)(s) 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 S.P.P.



appearing on behalf of the State 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 rejected and this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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