

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4962 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Awadhesh Ranjan Jha Son of Surendra Jha Resident OF Ram Jai Pratap Road, Alpana Bank Colony, Lane NO. 14, P.S.- Rupaspur Danapur, District- Patna
 2. Aditya Anand Son of Mahendra Kumar Resident OF Gauri Shankar Niwas, Chak Musalahpur, Opposite To Andhara Bank, P.S.- Kadamkuan, District- Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Abhishek Kumar Paswan Son of Sunil Paswan Village- Daudpur, Raghapur, Danapur Cum Khagaul, Patna, P.S.- Shahpur District- Patna. At Present Araya Samaj Mandir Road, RPS more, Danapur, P.S.- Danapur, Dist.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhaskar Shankar
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-11-2024 This appeal has been listed under the heading “To Be Mentioned” at the instance of learned counsel for the appellants.

Learned counsel for the appellants submits that due to typographical error, the order, dated 12.11.2024, was drawn that the appellants have been arrested and the appeal was withdrawn with liberty to seek regular bail.

Learned counsel further submits that, however, the appeal was dismissed as not maintainable in view of the decision of the Supreme Court, in the case of **Bachu Das v. The State of Bihar and Others**, reported in **(2014) 3 SCC 471**, in view of



the fact that after submission of charge-sheet, cognizance had already been taken against the appellants.

In view of the aforesaid submission, let the order, dated 12.11.2024, be corrected and read that in view of the fact that cognizance of the offences punishable under SC/ST Act and other allied sections of the Indian Penal Code have already been taken by the learned Special Court against the appellants, accordingly, this appeal is not maintainable and the same is dismissed as not maintainable, in view of the decision of Supreme Court, in the case of **Bachu Das** (supra).

(Anil Kumar Sinha, J)

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