

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.507 of 2024

Arising Out of PS. Case No.-6 Year-2019 Thana- COMPLAINT CASE District- Sheohar

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1. NEWALAL MAHTO S/O- LATE GIRJA MAHTO R/O- VILLAGE-NARAYANPUR, P.S.- PIPRAHI, DIST.- SHEOHAR PRESENTLY AT KOAT BAZAR WARD NO.- 12, P.S.- SITAMARHI, DIST.- SITAMARHI.
 2. Gita Devi Sumit Prakash WIFE OF GOPAL PRASAD RESIDENT OF VILLAGE NARAYANPUR P.S PIPRAHI DISTRICT SHEOHAR PRESENTLY AT KOAT BAZAR WARD NO.12 P.S AND DISTRICT SITAMARHI

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. GOPAL PASWAN S/O- LATE DASHRATH PASWAN R/O- VILLAGE-NARAYANPUR, P.S.- PIPRAHI, DIST.- SHEOHAR.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Devendra Kumar, Advocate
For the State	:	Ms. Usha Kumari 1, Spl.PP
For Respondent No. 2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 03-04-2025 1. Heard learned counsel for the parties.
2. Despite valid service of notice, no one appears on behalf of Respondent No. 2.
3. This appeal has been filed for setting aside order dated 12.10.2023, passed in a case registered for the offence punishable under Sections 323 and 504 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.
4. 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**.

5. 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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