

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1302 of 2025

Arising Out of PS. Case No.-127 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Rajesh Kumar Singh Son of Vimal Singh Resident of Vill.- Dih Rasalpur, P.S.- Mohanpur, Distt.- Samastipur
 2. Narendra Singh @ Nagendra Singh @ Abhinit Kumar Singh Son of Sri Nath Singh Resident of Vill.- Dih Rasalpur, P.S.- Mohanpur, Distt.- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Reena Devi Wife of Manjay Kumar Ram Resident of Village - Mohanpur, Patharghat, P.S.- Mohanpur, Distt.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjai Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-07-2025 Heard learned counsel appearing on behalf of appellants and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 05.03.2025 passed by learned Special Judge, SC/ST (POA) Act in ABP No. 606 of 2025 arising out of C.R. No. 127 of 2021, registered under Sections 341, 323, 354, 379, 504, 506 of the Indian Penal Code and Sections 3(i)(r), 3(I)(s), 3(I)(w) of the SC/ST Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. At the outset, learned Spl. Public Prosecutor for the State vehemently opposed the bail application and submitted



that the instant anticipatory bail is not maintainable as from perusal of the impugned order it is apparent that cognizance under SC/ST Act has already been taken by learned Court below and in this connection, he refers to a decision of the Hon’ble Supreme Court, passed in case of *Bachu Das Vs State of Bihar and others*, reported in **Cr. Appeal No. 314 of 2014**.

4. Considering the law laid down by the Hon’ble Supreme court in case of Bachu Das (supra), instant appeal filed for pre-arrest bail to the appellants, is dismissed as being not maintainable.

(Prabhat Kumar Singh, J)

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