

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1716 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- SC/ST District- Begusarai

1. Abhishek Kumar @ Avinash Kumar @ Avinash Yadav Son Of Raj Kumar Yadav Resident Of Village- Badi Balia, Siraja, Ward No. 10, Ps- Balia, Dist- Begusarai
2. Usha Devi Wife Of Raj Kumar Yadav Resident Of Village- Badi Balia, Siraja, Ward No. 10, Ps- Balia, Dist- Begusarai
3. Nutan Devi @ Kumari Ayushi @ Kumari Aaushi Daughater Of Raj Kumar Yadav Resident Of Village- Badi Balia, Siraja, Ward No. 10, Ps- Balia, Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Vikki Devi Wife Of Ramakant Paswan Resident Of Village- Badi Balia, Siraja, Ward No. 10, Ps- Balia, Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashank Shekhar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. Public Prosecutor
For the R.P. No. 2	:	Mr. Rohit Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 Heard learned counsels for the parties.

2. This appeal has been filed against the order dated 22.01.2024 passed by learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in ABP No. 2699 of 2023 arising out of SC/ST P. S. Case No. 72 of 2023, registered under Sections 341, 323, 324, 354B, 379, 504, 506/34 of the Indian Penal Code and Sections 3(1)(da)(dha)(w) and 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. At the outset, learned counsel for the Respondent No. 2 vehemently opposed the bail application and submitted that the instant anticipatory bail is not maintainable as cognizance under SC/ST Act has already been taken against the appellants on 22.03.2025 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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