

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1667 of 2024

Arising Out of PS. Case No.-114 Year-2018 Thana- SC/ST District- East Champaran

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1. Ramesh Bhagat @ Ramesh Kumar Kushwaha Son of Baldev Prasad @ Basdev Prasad Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari
 2. Kailash Bhagat Son of Harihar Bhagat @ Hari Bhagat Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari
 3. Vinay Bhagat @ Ram Vinay Bhagat Son of Laldev Bhagat @ Laldev Prasad Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari
 4. Dharmendra Bhagat @ Dhamendra Kumar Son of Laldev Bhagat @ Laldev Prasad Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari
 5. Awadhesh Bhagat @ Awadhesh Prasad Son of Ramchandra Bhagat @ Ramchandra Prasad Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari
 6. Nandu Bhagat @ Raja Babu Son of Fuldev Bhagat @ Fuldev Prasad Resident of Village- Machhargawa, P.S.- Kotwa, District- East Champaran, Motihari

... .. Appellant/s

Versus

1. The State of Bihar
2. Petu Manjhi Son of Daroga Manjhi Resident of Village- Machhargawa, P.S. Kotwa, District- East Champaran, Motihari

... .. Respondent/s

Appearance :

For the Appellants : Mr. Rajesh Kumar, Advocate
For the State : Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 Heard learned counsel for the appellants and learned
Spl.P.P. for the State.

2. This appeal has been filed for setting aside order



dated 04.03.2024 passed by the learned Special Judge, SC/ST Act, East Champaran, Motihari in a case registered for the offence punishable under Sections 147, 149, 341, 323 and 504 of the Indian Penal Code and Section 3(i)(a)(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 Spl.P.P. appearing on behalf of the State that the prayer for grant of pre-arrest bail to these appellants is not maintainable as from bare perusal of the impugned order it is apparent that cognizance has already been taken by the learned trial court for the offences punishable under Sections 147, 149, 341, 323 and 504 of the Indian Penal Code and Section 3(i)(a)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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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