

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1630 of 2025**

Arising Out of PS. Case No.-117 Year-2014 Thana- WAJIRGANJ District- Gaya

Radhe Yadav @ Radhe Prasad Yadav son of Hari Yadav Village -Asanauli P.S
-Wazirganj District -Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Amirak Manjhi Son of Yugal Manjhi village- Hariharpur tola, (Bishanpur),
Ps- Wazirganj, Dist- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kamal Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 23-07-2025 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 19.03.2025 passed by learned Exclusive Special Judge, SC/ST, Gaya in ABP No. 69 of 2025 arising out of Wazirganj P. S. Case No. 117 of 2014, registered under Sections 147, 148, 149, 323, 307 of the Indian Penal Code, Section 3(i)(x) of the SC/ST Act and Section 27 of the Arms Act, whereby the prayer for anticipatory bail of appellant 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



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 appellant, is dismissed as being not maintainable.

(Prabhat Kumar Singh, J)

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