

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2198 of 2024

Arising Out of PS. Case No.-3 Year-2011 Thana- SC/ST District- Gaya

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1. Mahednra Yadav @ Mahendra Yadav Son of Shiv Narayan Yadav R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya
 2. Mandal Yadav @ Dinesh Yadav Son of Shiv Narayan Yadav R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya
 3. Ramadhar Yadav @ Ramadhar Kumar Son of Mahendra Singh R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya
 4. Ajeet Yadav @ Ajeet Kumar @ Mallu Yadav Son of Mahendra Yadav R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya
 5. Pappu Yadav @ Pappu Kumar Son of Narayan Yadav R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bachchi Devi D/O Ram Ratan Chaudhary R/O Vill.- Singhapar, P.S.- Nimchak Bathani, Dist.- Gaya

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Sheikh Arkan Ahmad, Advocate
For the State	:	Mr. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-09-2025 Heard learned counsel for the appellants and learned Spl.PP for the State.

2. This appeal has been filed for setting aside order dated 01.03.2024 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in a case registered for the offence punishable under Sections 323, 448, 379, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(x) 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 cognizance has already been taken by the learned trial court vide order dated 27.02.2019 for the offences punishable under Sections 341, 323, 448, 379, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(X) 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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