

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1920 of 2025**

Arising Out of PS. Case No.-67 Year-2023 Thana- MADHEPURA COMPALINT CASE  
District- Madhepura

- 
1. Prakash Swarnkar son of Styanarayan Swarnkar village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura
  2. Ranjan Devi Wife of Prakash Swarnkar village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura
  3. Govind Swarnkar Son of Prakash Swarnkar village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura
  4. Khusbu Devi Wife of Govind Swarnkar village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura
  5. Amit Swarnkar son of Prakash Swarnkar village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Shanti Devi Wife of Naresh Rajak village -Bharrahi Bazar, Ward no. 3 Ps and Dist- Madhepura

... .. Respondent/s

---

**Appearance :**

For the Appellant/s : Mr. Dinesh Prasad Verma, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

---

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

2      14-07-2025                      Heard learned counsel appearing on behalf of appellants and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 08.04.2025 passed by learned Additional Sessions Judge 1<sup>st</sup> cum Special Judge SC & ST Act, Madhepura in ABP No. 359 of 2025 arising out of Complaint SC/ST Case No. (SC/ST) 67/2023, registered under Sections 341, 323, 504 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST Act, whereby



the prayer for anticipatory bail of appellants has been rejected.

3. Learned Spl. Public Prosecutor appearing 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)**

Navya/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

