

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2311 of 2024

Arising Out of PS. Case No.-20 Year-2021 Thana- SC/ST District- Madhubani

Sarita Kumari D/o- Dev Narayan Mahto Resident of Village- Betauan
P.S.Jaynagar, District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Devkala Devi wife of Satlal Mahra Village- Betauna Ps- Jaynagar Dist-
Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailendra Kumar Jha, Adv
For the State	:	Mr. Binay Krishna, Spl. P.P.
For Res. No. 2	:	Mr. Gagan Deo Yadav, Adv
		Mr. Ravi Prakash, Adv
		Mr. Rajesh Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-02-2025 Heard learned counsel for the parties.

2. This criminal appeal has been filed against the order dated 04.04.2024 passed by learned Additional Sessions Judge-I cum Special Judge, Madhubani in ABP No. 516 of 2024 in connection with G.R. No. 60 of 2021 (arising out of Madhubani SC/ST P.S. Case No. 20 of 2021), instituted under Sections 341, 323, 307, 354, 504/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant 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 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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