

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3020 of 2024

Arising Out of PS. Case No.-195 Year-2018 Thana- BODHGAYA District- Gaya

Vijay Paswan @ Vijay Kumar Son of Mahendra Paswan Resident of village -
Nava Tola Kajraily, P.S.- Bodh Gaya, District - Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Shyam Pati Manjhi Wife of Late Kara Manjhi Resident of village - Nava (W), P.S.- Bodh Gaya, District - Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Digvijay Kumar Ojha, Advocate

For the Respondent/s : Ms. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-05-2025 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 01.05.2024 passed by learned Exclusive Special Judge (SC/ST Act), Gaya in ABP No. 124 of 2024 arising out of Bodh Gaya P. S. Case No. 195 of 2018, registered under Section 18 of the SC/ST 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 from perusal of paragraph No. 7 of the appeal, 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 appellant, is dismissed as being not maintainable.

(Prabhat Kumar Singh, J)

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