

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3029 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Anandpur District- Banka

Girdhari Yadav S/O Ashok Yadav R/O Vill.- Kusauna, P.S.- Anandpur, Dist.- Banka

... .. Appellant/s

Versus

1. The State of Bihar
2. Rubi Devi W/O Ghanshyam Tiwari R/O Vill.- Kusauna, P.S.- Anandpur, Dist.- Banka

... .. Respondent/s

Appearance :

For the Appellant	:	Md. Nurul Hoda, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	Mr. Kaushal Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-10-2025 Heard learned counsel for the appellant, learned Spl.PP for the State and learned counsel for the informant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 09.07.2025 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, Banka in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 351(2) and 352 of the B.N.S. and Sections 3(i)(r)(s) (w) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. At the outset, it is submitted by learned Spl.P.P.



appearing on behalf of the State and learned counsel for the informant/Respondent No. 2 that the prayer for grant of pre-arrest bail to the appellant is not maintainable, as cognizance has already been taken by the learned trial court under Sections 126(2), 115(2), 74, 351(2) and 352 of the B.N.S. and Sections 3(i)(r)(s)(w) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act . In this regard, reliance is placed upon judgment of the Hon'ble Apex Court 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*), appellant's prayer for grant of pre-arrest bail is rejected and this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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