

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3133 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- PARBATTa District- Khagaria

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1. Sanni Kumar S/O Gopal Choudhary R/O Vill.- Chakprayag, P.S.- Parbatta, Dist.- Khagaria
 2. Nayan Kumar S/O Gopal Choudhary R/O Vill.- Chakprayag, P.S.- Parbatta, Dist.- Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Madhuri Das S/O Malhu Das @ Mannu Das R/O Vill.- Udaypur, P.S.- Parbatta, Dist.- Khagaria

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Mukesh Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-10-2025 Heard learned counsel for the appellants and learned Spl.PP for the State.

2. This appeal has been filed for setting aside order dated 19.07.2025 passed by the learned District and Additional Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Khagaria in a case registered for the offence punishable under Sections 341, 323, 325, 307 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r)(s) and 3(2)(va) 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 vide order dated 17.05.2025 cognizance has already been taken by the learned trial court under Sections 341, 323, 325, 307 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r)(s) 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 rendered 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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