

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4412 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- COMPLAINT CASE District- Lakhisarai

1. Bodhan Mahto Son of Late Sarji Mahto @ Late Sarju Mahto Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai
2. Rupesh Kumar Son of Bodhan Mahto Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai
3. Brajesh Kumar Son of Bodhan Mahto Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai
4. Bikash Kumar @ Bikesh Kumar Son of Bodhan Mahto Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai
5. Lokesh Mahto @ Lokesh Kumar Son of Bodhan Mahto Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Vijay Kumar Son of Rajo Ram Resident of Village - Tilokhar, P.S.- Amahara, District - Lakhisarai

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-07-2025 Heard learned counsel for the appellants and learned Spl.PP for the State.

2. This appeal has been filed for setting aside order dated 30.07.2024, passed in a case registered for the offence punishable under Sections 447, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code 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 to these



appellants has been rejected.

3. At the outset, it is submitted by learned Spl.P.P. appearing on behalf of the State that from bare perusal of the impugned order it is apparent that in this case cognizance has already been taken by the learned trial court against these appellants for the offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and as such, the instant prayer for grant of pre-arrest bail of the appellant is not maintainable. In this regard, reliance is placed 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 facts and circumstances of the case 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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