

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5096 of 2023**

Arising Out of PS. Case No.-32 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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PAPPAN KUMAR SINGH @ BABAN KUMAR SINGH SON OF
KRISHNA VALLABH SINGH RESIDENT OF VILLAGE- CHAUTHAM ,
PS- CHAUTHAM, DISTT- KHAGARIA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. SHRAVAN RAJAK SON OF RAMJHI RAJAK RESIDENT OF VILLAGE-
TELIHAR, PS- BELDOUR, DISTT- KHGARIA

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Parmatma Singh
For the Respondent/s : Mrs.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-02-2025 Heard learned counsel for the appellant and learned
Special P.P. for the State.

2. This appeal has been filed against the order dated
07.10.2023 passed by learned 1st Additional Sessions Judge-
cum-Special Judge, SC & ST Act, Khagaria in connection with
Complaint Case No. 32(C) of 2021 registered under Sections
323, 406, 420, 504 and 506 of the Indian Penal Code and
Section 3(i)(r)(s) of the SC/ST (POA) Act, whereby the prayer
for anticipatory bail of appellant has been rejected.

3. At the outset, learned Special P.P. for the State
submits that in this case, cognizance has already been taken by
the learned Court below under the provisions of SC/ST Act



against appellant and as such, this appeal, filed for grant of anticipatory bail, is not maintainable, in view of the decision of the Hon’ble Supreme Court in the case of *Bachu Das Vs State of Bihar and others*, reported in (2014) 3 S.C.C. 471.

4. In view of law laid down by the Hon’ble Supreme Court in the case of *Bachu Das (supra)*, the present appeal, filed for pre-arrest bail to the appellant, is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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