

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.707 of 2025

Arising Out of PS. Case No.-76 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Rinku Devi Wife of Late Rakesh Singh Resident of Mohalla- Ashok Nagar
Road No. 01, Brindaban society House No. V/3, Kankarbagh, police station
kankarbagh, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajiv Kumar Son of Radhey Paswan Resident of Village- Khaje Atwar
Sarai, P.S.- Rahui (Bhagan Bigha O.P.), Distt.- Nalanda

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Kripanand Jha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Prashant Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-04-2026 Heard learned counsel appearing on behalf of
appellant, respondent no. 2 and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated
22.01.2025 passed by learned Additional Sessions Judge VI cum
Special Judge, SC/ST, Biharsharif, Nalanda in ABP No. 106 of
2025 arising out of Complaint Case No. 76C of 2023, registered
under Sections 467, 468, 420 of the Indian Penal Code and
Sections 3(1)(x) of the SC/ST Act, whereby the prayer for
anticipatory bail of appellant has been rejected.

3. At the outset, learned counsel for the respondent no.
2 vehemently opposed the bail application and submitted that



the instant anticipatory bail is not maintainable as cognizance under SC/ST Act has already been taken against the appellant 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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