IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1060 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- JAMHOR District- Aurangabad

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1. Lallu Kumar @ Lallu Yadav Son of Shiv Pujan Yadav Village -Pethari PS -Jamhore District -Aurangabad
2. Bir Bahadur Kumar Son of Shiv Pujan Yadav Village- Pethari PS -Jamhore District -Aurangabad
3. Sintu Kumar Son of Shiv Pujan Yadav Village- Pethari PS -Jamhore District -Aurangabad

... ... Appellant/s

Versus

1. The State of Bihar
2. Nitish Kumar Son of kamlesh Paswan Village- Pethari PS -Jamhore District -Aurangabad

... ... Respondent/s

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Appearance :
For the Appellants : Mr. Rakesh Singh, Advocate
For the State : Mr. Binay Krishna, Spl.PP
For the Informant : Ms. Alka Panday, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 16-04-2026 Heard learned counsel for the appellants, 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 17.02.2025 passed by the learned 1st District and Additional Sessions Judge, Aurangabad in connection with A.B.A. No. 367 of 2025 arising out of Jamhore P.S. Case No. 05 of 2025 which was registered for the offence punishable under Sections 126(2), 115(2), 324(4), 351(2), 352 and 3(5) of the

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B.N.S. and Sections 3(1), 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for grant of 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 and learned counsel for the informant/Respondent No. 2 that the prayer for grant of pre-arrest bail to the appellants is not maintainable, as cognizance has already been taken by the learned trial court for the offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. In this regard, reliance is placed upon 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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