

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1209 of 2025**

Arising Out of PS. Case No.-54 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Bimala Devi Wife of Kamlesh Sah Village -Sarisabpahi PS- Pandaul Distt -Madhubani
 2. Naresh Kumar Sah @ Raja Kumar sah Son of Kamlesh Sah Village -Sarisabpahi PS- Pandaul Distt -Madhubani
 3. Kamlesh Sah Son of Late Mangal Sah Village -Sarisabpahi PS- Pandaul Distt -Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakho Devi Wife of Satyanarayan Mahto Village -Sarisabpahi PS- Pandaul Distt -Madhubani

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Sanjeev Kumar Jha, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Complainant	:	Mr. Shailendra Kumar Jha, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 16-04-2026 Heard learned counsel for the appellants, learned Spl.PP for the State and learned counsel for the complainant/Respondent No. 2.

2. This appeal has been filed for setting aside order dated 13.02.2025 passed by the learned Additional Sessions Judge 1st-cum-Special Judge (S.C./S.T. (POA) Act), Madhubani in connection with A.B.P. No. 73 of 2025 arising out of C.R. Case No. 54 of 2022 which was registered for the offence punishable under Sections 341, 323, 504, 506, 406, 324 and



354B of the Indian Penal Code and Sections 3(i)(x) and 3(I)(xi) 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 complainant/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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