

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1184 of 2026

Arising Out of PS. Case No.-500 Year-2023 Thana- MADANPUR District- Aurangabad

1. Anil Kumar S/o Kamlesh Yadav R/o Vill.- Ordiha, Post - Udhampur, Warkhas, P.S.- Madanpur, Dist.- Aurangabad, Bihar.
2. Pappu Kumar Son of Arjun Yadav R/o Vill.- Ordiha, Post - Udhampur, Warkhas, P.S.- Madanpur, Dist.- Aurangabad, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramshakal Chudhari Son of Ramprasad Chaudhari R/o Vill.- Ordiha, Post - Udhampur, Warkhas, P.S.- Madanpur, Dist.- Aurangabad, Bihar.

... .. Respondent/s

Appearance :

For the Appellants : Mr. Alok Kumar, Advocate
For the State : Ms. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-04-2026 Heard learned counsel for the appellants and learned
Spl.P.P. for the State.

2. This appeal has been filed for setting aside order dated 18.02.2026 passed by the learned District and Additional Sessions Judge-I-cum-Special Judge (SC/ST, Children and NDPS Act), Aurangabad in a case registered for the offence punishable under Sections 341, 448, 323, 354, 379, 147 and 149 of the Indian Penal Code and Sections 3(1)(r)(s)(w)(i)(ii) and 2(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.



3. At the outset, it is submitted by learned Spl.P.P. appearing on behalf of the State submits that the prayer for grant of pre-arrest bail to the appellants is not maintainable as from bare perusal of Paragraph No. 11 of the application it is apparent that cognizance has already been taken by the learned trial court for the offences punishable under Sections 341, 323, 354, 147, 149 and 427 of the Indian Penal Code and Sections 3(1)(r)(s), 3(1)(w) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. In this regard, reliance is placed upon judgment of the Hon'ble Apex Court rendered 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 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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