

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1892 of 2023

Arising Out of PS. Case No.-686 Year-2022 Thana- WAJIRGANJ District- Gaya

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Jageshwar Mahto @ Jageshwar Prasad @ Jagesar Mahto Son of Dilchand Mahto Resident of Village - Amaithi, P.S.- Wazirganj, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manti Devi Wife of Bhagwan Das Resident of Village - Amaithi, P.S.- Wazirganj, District - Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Shivendra Prasad, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Rohit Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 19-03-2026 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 16.03.2023 passed by learned Exclusive Special Judge, SC/ST Act, Gaya in ABP No. 33 of 2023 arising out of Wazirganj P. S. Case No. 686 of 2022, registered under Sections 341, 447, 323, 354, 504/34 of the Indian Penal Code and Sections 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. Learned counsel for 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 appellant on 24.09.2025 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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