

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1497 of 2026**

Arising Out of PS. Case No.-28 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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OM BHARTI S/O Dev Narayan Rai Resident Of Village- Runnisaidpur, Ward
No. 09, P.s.- Runnisaidpur, District- Sitamarhi

... .. Appellant/s

Versus

1. The State of Bihar
2. Mohan Ram S/O Jageswar Ram R/O Vill.- Kundal, P.s.- Mahindwara, Dist.-
Sitamarhi.

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Vikash Kumar Jha, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-06-2026 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

2. This appeal has been filed for setting aside order dated 24.03.2026 passed by the learned District and Additional Sessions Judge-I-cum-Special Judge, S.C./S.T. (POA) Act, Sitamarhi in a case registered for the offence punishable under Sections 341, 323, 324, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. At the outset, it is submitted by learned Spl.P.P. appearing on behalf of the State that the prayer for grant of pre-



arrest bail to the appellant 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 judgment of the Hon'ble Apex Court rendered in the case of ***Bachu Das Vs. State of Bihar and others*** reported in **(2014) 3 SCC 471**. It is further submitted that appellant has got two criminal antecedents.

4. In view of the aforesaid submissions, pronouncement of law rendered by the Hon'ble Supreme Court in the case of ***Bachu Das (supra)*** and criminal antecedents of the appellant, appellant's prayer for grant of pre-arrest bail is rejected and this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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