

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3383 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- KALYANPUR District- East Champaran

1. Raj Kishore Sah @ Raj Kishore Kr. Sah SON OF LATE JAILAL SAH Village -Bahuara Haribansh PS- Kalyanpur District -East Champaran
2. DEEPAK SAH @ DEEPAK KR. SON OF RAMJI SAH Village -Bahuara Haribansh PS- Kalyanpur District -East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. MAHENDRA DAS SON OF LATE GAJAR DAS Village -Bahuara Haribansh PS- Kalyanpur District -East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar No.III, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the R. No. 2	:	Mr. Aditya Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-07-2026 Heard learned counsel appearing on behalf of appellants, respondent no. 2 and Spl. Public Prosecutor.

2. This appeal has been filed against the order dated 02.04.2024 passed by learned Special Judge, SC/ST Act, East Champaran, Motihari in ABP No. 1405 of 2024 arising out of Kalyanpur P.S. Case No. 16 of 2024, registered under Sections 147, 149, 341, 323, 324, 354(B),379, 504, 506 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. At the outset, learned counsel for the 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 by learned Court below on 24.03.2026 against the appellants 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 appellants, is dismissed as being not maintainable.

(Prabhat Kumar Singh, J)

Navya/Sanjay-

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