

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4988 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Madan Mohan Prasad Verma Son of Late Hari Prasad Verma @ Hari Sao Resident of Village - Birnama, Police Station - Kashichak in the district of Nawada
 2. Jitendra Prasad Verma Son of Madan Mohan Prasad Verma Resident of Village - Birnama, Police Station - Kashichak in the district of Nawada
 3. Bambam Prasad Verma @ Dharmendra Prasad Verma @ Dharmendra Kumar Verma Son of Madan Mohan Prasad Verma Resident of Village - Birnama, Police Station - Kashichak in the district of Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Binita Devi Wife of Kedar Rajak Resident of Village - Birnama, Police Station - Kashichak in the district of Nawada

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.PP
For the Complainant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-04-2026 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 25.09.2024 passed by the learned Special Judge, Exclusive Special Court SC/ST (POA) Act, Nawada in A.B.P. No. 2442 of 2024 arising out of a complaint case registered for the offence punishable under Sections 323, 341, 504, 506, 354B



and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for 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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