

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14229 of 2020

Arising Out of PS. Case No.-278 Year-2018 Thana- AURAI District- Muzaffarpur

Prem Kumar Singh @ Tiger @ Prem Singh Tiger (male), aged about 44 years,
son of Sri Yugal Kishore Singh, Resident of Village- Bhadai, P.S.- Hathauri,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 14-07-2020

The matter has been heard *via* video conferencing due
to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Ambuj Nayan Choubey, learned
counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned
Additional Public Prosecutor (hereinafter referred to as the
'APP') for the State.

3. The petitioner is in custody in connection with
Aurai P.S. Case No.278 of 2018 dated 02.12.2018 instituted
under Sections 387/34 of the Indian Penal Code.

4. The allegation against the petitioner and others is
of demanding extortion.

5. Learned counsel for the petitioner submitted that
the FIR is against unknown and the petitioner has been falsely



implicated. It was submitted that the petitioner was arrested later and the police have extracted confessional statement on the basis of which he has been remanded in seven cases. It was submitted that there has been no recovery from the petitioner. Learned counsel submitted that the petitioner is in custody since 01.07.2019.

6. Learned APP, from the case diary, submitted that in his confession, the petitioner has explained in detail the entire background as to how he was initiated in crime and the acts of crime he committed, including in the present case. Learned counsel submitted that such factual details could not have been implanted by the police as it was in the personal knowledge of the petitioner and the same having been disclosed and being recorded as confessional statement, though before the police, by the petitioner, at this stage, cannot be said to be false. It was further submitted that from the investigation it appears that the petitioner was the leader of the gang, which indulged in such activities.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail, for the present.



8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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