

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11313 of 2021**

Arising Out of PS. Case No.-422 Year-2019 Thana- NAUBATPUR District- Patna

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Amit Kumar @ Gaya @ Gaiya, aged about 20 years, Male Son of Sanjay Singh, Resident of Village - Pali, PS- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramanath Kumar Ghanshyam, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 28-07-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Ramanath Kumar Ghanshyam, 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 Naubatpur PS Case No. 422 of 2019 dated 27.06.2019, instituted under Sections 506, 387, 386 and 120B/34 of the Indian Penal Code.

4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by judgment and order dated 09.06.2020 passed in Cr. Misc. No. 8352 of 2020.



5. The allegation against the petitioner and four others is of demand of extortion and threatening shopkeepers.

6. Learned counsel for the petitioner submitted that he would be adopting the submissions advanced by him and as noted in the earlier rejection order dated 09.06.2020. However, it was submitted that now the petitioner is in custody for more than two years and is suffering from various ailments.

7. Learned APP submitted that no fresh ground has been made out for grant of bail to the petitioner and most importantly, he is accused in four other cases under serious sections of the Indian Penal Code as also the Arms Act. Further, it was submitted that he was part of the gang which had threatened the victims demanding extortion on the pretext that their gang leader, who was in jail, had to be taken out and for securing bail, money was required. He further contended that the petitioner in such background and the allegation of demand of extortion, is a threat to society if allowed bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any ground to be made out for reconsideration of the prayer for release of bail except for passage of time, which, in the



considered opinion of the Court, would not be a mitigating
circumstance in the overall background of the present case.

9. Accordingly, the petition stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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