

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6565 of 2021

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

SHATRUGHAN @ JATAHA S/O Amrendra Singh @ Amrendra Kumar
Resident Of Village - Shekhpura, P. S. - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Sharma

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Naubatpur P.S. Case No.
422 of 2019, registered for the offence punishable under
Sections 386, 387, 506, 120B and 34 of the Indian Penal Code.

As per the prosecution case, FIR named accused
persons are alleged to have demanded extortion and threatened
various shopkeepers who are alleged to be the members of gang
of this petitioner.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case by the police.
There is allegation of demand of extortion, but no extortion
money was given to any of the accused persons, so no case



under Section 386/387 of the IPC is made out. Petitioner has neither demanded any extortion money nor he was present at the place of occurrence as he was in judicial custody in connection with another case. There is no specific allegation of demand of extortion or extending threat to the shopkeepers against this petitioner and he is in custody since 22.08.2019. In para 3 of the petition, it is stated that though petitioner is accused in 15 cases, but in several cases he is on bail and in some cases bail application of the petitioner is pending.

Learned APP however, vehemently opposed the prayer for bail and submitted that various shopkeepers have specifically taken name of this petitioner in whose name other co-accused demanded extortion and threatened them with dire consequence if not paid on the pretext that this petitioner who is the leader of gang and was in jail had to be taken out and for securing bail, money was required. Petitioner has got criminal antecedent and he is accused in 15 cases of similar nature.

Considering the facts aforesaid and the nature of allegation and criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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