

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1795 of 2022

Arising Out of PS. Case No.-366 Year-2019 Thana- BANIAPUR District- Saran

Shambhu Rai Son of Chandrama Rai @ Chandrma Ray Resident of Village -
Hansrajpur, Police Station - Baniyapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Baniapur P.S. Case No.
366 of 2019, registered for the offence punishable under
Sections 448, 384, 380, 323/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
four unknown persons came to the Hotel of informant, assaulted
his staff and also took away cash from cash box. It is further
alleged that this petitioner damaged furniture and threatened of
dire consequence and also demanded extortion money for
running Hotel at Hansrajpur.

It is submitted on behalf of the petitioner that it is an
admitted case of previous enmity. There is no injury report. No
amount for extortion money was delivered to the petitioner, as



such no case under Section 384 IPC is made out against this petitioner. Petitioner is in custody since 16.01.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation against this petitioner of commission of assault and demand of ransom. Petitioner has got criminal antecedents and is accused in as many as six cases.

Considering the nature of accusation 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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