

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12176 of 2023

Arising Out of PS. Case No.-173 Year-2017 Thana- GURUA District- Gaya

DEEPAK KUMAR Son of Mahesh Prasad R/v- Mircha Bigha, Tola-Telbigha, P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Nikhil, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Gurua P.S. Case No.173 of 2017, registered for the offence punishable u/s 385, 387 of the IPC and section 17 of C.L.A. Act.

As per the F.I.R., informant was posted in Roy Products Limited and extension of work of electric wire of 400 KV P/C Quad Moose P/C Nabinagar 11-Gaya was in progress by his company. It is alleged that, some unknown miscreants threatened the night guard and demanded Rs.2,00,000/- as ransom and also threatened to damage the machine and stoppage of work.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case at the instance of local enemies. Petitioner is not named in the F.I.R. and he has been made accused in this case on the confessional statement of an accused namely Anil Sao, who himself was not made accused in this case and he was accused in some other case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has two criminal antecedents. Similarly situated co-accused namely Basant Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 20.11.2019 passed in Cr. Misc. No.52846/2019.

Learned APP for the State opposed the prayer for bail by submitting that the co-accused was granted bail in the year, 2019 while this petitioner has filed this application in the year, 2022 and he is a member of the syndicate involved in threatening the informant's side over demand of extortion.

Having regard to the facts and circumstances of the case, since, petitioner is also the member of the said syndicate, who has demanded extortion, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is hereby rejected.



This application is accordingly dismissed.

However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks from today and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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