

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62580 of 2023**

Arising Out of PS. Case No.-449 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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KUNDAN KUMAR @ BHULLA @ RADHE SHYAM KUMAR son of Late
Bilayati Singh Village- Bhairwar Ps- Begusarai Muffasil Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Begusarai Muffasil Police Station Case No. 449 of
2022, dated 26.08.2022, disclosing offences under
Sections 341/323/386/387/379/504/34 of the Indian Penal
Code.
3. The prosecution case, as per the First Information Report,
is that on 25.08.2022, at about 05:00 PM, while the
informant was sitting at his shop, the accused persons
came there, abused the informant and demanded *rangdari*
(extortion). It has further been stated that upon objection



being raised by the informant, the accused persons slapped him and the petitioner fired upon the informant and took away a sum of Rs. 26,000/- from his cash-box.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to some business rivalry and the petitioner has got no criminal antecedent. He next submits that both the parties have compromised the case and there was no intent on the part of the petitioner to kill the informant and no empty cartridge has been recovered from the place of occurrence.
5. I have heard learned counsel for the parties and have gone through the materials available on record, including the impugned order. The informant is a businessman engaged in sale of stone chip and sand etc. There is direct allegation against the petitioner that he, along with others, demanded *rangdari* (extortion) for allowing the informant to do his business and also snatched a sum of Rs. 26,000/- from his cash-box. There is specific allegation against the petitioner, which is supported by witnesses, examined during the course of investigation. The offence alleged against the petitioner is not compoundable, accordingly, I



am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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