

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66368 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- MADHEPUR District- Madhubani

Purushottam Kamat @ Prushottam Kumat S/O Kapildeo Kamat @ Kapildev Kamat R/O Village- Bheeth Bhagawanpur, P.S- Madhepur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Madhepur P.S. Case No. 223 of 2021 registered for the offences punishable under Sections 341, 323, 324, 342, 379, 384, 386, 307, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution, the informant alleged that this petitioner alongwith other co-accused asked for extortion and assaulted by means of *rod* and snatched rupees 25,000/-, mobile phones etc.

The main submissions advanced by learned counsel for petitioner are that the FIR was lodged after a delay of two days which has not been explained by the informant in the FIR and against the petitioner there is no specific allegation in the FIR

and the investigation has been completed against him and he has been languishing in jail since 19.04.2022.

Learned APP for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The petitioner is named in the FIR and allegedly he and co-accused persons firstly, made a demand of extortion from the informant and thereafter they assaulted the informant and his companions and after that looted twenty-five thousand rupees, mobile phones etc. from the possession of the informant and others and the informant claimed in the FIR to have identified the petitioner when the alleged occurrence took place and there are criminal antecedents of five cases against the petitioner as mentioned in para-3 of the petition. Considering all these facts, in my opinion, it is not a fit case for bail to the petitioner. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

Shahnawaz/-

U		T	
---	--	---	--