

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- RAFIGANJ District- Aurangabad

Rajesh Paswan, S/o Badri Baswan, R/o Village- Gothani, P.S.- Rafiganj,
Distt- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-05-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in case registered for the
offences punishable under Sections 385 and 386 of the Indian
Penal Code.

It is alleged that on 12.06.2022, an unknown person
handed over an envelop to the Munshi of the informant which
he gave to the informant. On opening the same, informant found
a letter therein over which Communist Party of India (Maoist)
was written and levy was demanded. Later, on 18.06.2022,
informant received a telephonic call from Mobile No.
9006573468 and on that call a person who named himself
Amarjit, threatened the informant to stop the construction work
if he fails to give levy to him.



Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and no specific allegation has been levelled against him. Name of the petitioner transpired during course of investigation in confessional statement of co-accused persons. As per F.I.R., co-accused Amarjit, who had claimed to be member of said organization and had made telephonic demand from the informant has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 50126 of 2022 vide order dated 09.12.2022.

However, learned counsel for the State opposes the prayer for bail of the petitioner and submits that petitioner is involved in Maoist activities and has got two criminal antecedents of similar nature.

Considering the fact that petitioner has got two criminal antecedents of similar nature, prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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