

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33424 of 2024

Arising Out of PS. Case No.-452 Year-2023 Thana- NOORSARAI District- Nalanda

Bharat Chauhan Son of Chauthi Chauhan @ Saukhi Jamadar Resident of
Village - Prahlad Nagar , P.S. - Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 26-07-2024 1. Heard Mr. Arun Kumar, learned counsel for the petitioner and Mr. Humayou Ahmad Khan, learned APP for the State.
2. Petitioner seeks regular bail in connection with Noorsarai P.S. Case No. 452 of 2023 registered for the offence(s) punishable under Section(s) 341, 323, 385, 506 and 386 of the Indian Penal Code and Section 27 of the Arms Act.
3. As per prosecution, Narendra Kumar Nirala (informant) stated that on 21.09.2023 he received a call from a person named Bharat (accused/petitioner), who demanded for a certain sum of money to be paid or else the construction work would be stopped. Further, at about 12:00 P.M. on the same day the informant came to know that the accused/petitioner along with 15-20 men equipped with firearms came to the



construction site and assaulted the labourers. The accused/petitioner also left a message for the informant to send Rs. 5 lacs as 'Rangdari' and to stop the construction work failing which they all would be killed.

4. Mr. Arun Kumar, learned counsel appearing for the petitioner submits that the petitioner and the informant are the residents of the same vicinity, there is no independent person to support the alleged allegation. The petitioner has been languishing in jail since 08.11.2023. It is further submitted that petitioner has been remanded in the instant case from Noorsarai P.S. Case No. 461 of 2023 and the mobile number which was allegedly used in making extortion call does not belong to the petitioner and police did not find any evidence to support the allegation of committing firing and admittedly, no one sustained any injury in the instant case.

5. Mr. Humayou Ahmad Khan, learned counsel appearing for the State has opposed the prayer for bail of the petitioner.

6. Having considered the seriousness of the allegation which mainly relates to the extortion demand and further resorting to firing by the accused/petitioner when his alleged demand was not fulfilled and in this regard, the statements of



some of the witnesses mentioned in paragraph nos. 7 and 8 of the case diary are relevant and the petitioner has got criminal antecedents of 11 cases out of which many relates to the offences of extortion, this court is not inclined to release the petitioner on bail at this stage. Accordingly his prayer stands rejected.

7. The petitioner may renew his bail prayer after the examination of non-official witnesses in his trial and he may also renew his prayer after one year, if in the said period the prosecution fails to produce the non-official witnesses.

(Shailendra Singh, J)

lata/-

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

