

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9031 of 2025**

Arising Out of PS. Case No.-267 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Bablu Kumar @ Bhutali Bindas, S/O Ramesh Prasad, R/O Village-
Khanjhanpur Banshi Bigha, P.S- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9557 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Pappu Rao, Son of Anil Rao, Resident of Village - Lao, P.,S. - Tekari, in the
district of Gaya. At present Mohalla - Manpur, P.S. - Moffasil in the district of
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9031 of 2025)

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the State : Mr. Dilip Kumar No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 9557 of 2025)

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

For the State : Mr. Binod Kumar No. 3, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

4 12-05-2025 Both the criminal miscellaneous petitions have arisen

out of same P.S. Case, hence, they are being decided together by

a common order.

2. Heard learned counsels appearing for the
petitioners and learned APPs for the State.

3. Petitioners seek regular bail in connection with
Buniyadganj P.S. Case No. 267 of 2024 dated 24.10.2024



registered for the offences punishable under Sections 308(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

4. The main submissions advanced by Mr. Prithivi Raj Singh, learned counsel appearing for the petitioner, Bablu Kumar @ Bhutali Bindas are that the instant matter relates to the extortion demand as well as online transfer of some part of the demanded amount as well as giving some cash and as per the prosecution, the said petitioner was arrested and from his possession, motorcycles, mobile phones and Rs. 20,000/- in cash are alleged to have been recovered but the prosecution failed to establish any connection between these seized materials and the commission of the alleged crime. It is further submitted that against this petitioner, investigation has been completed and he has been languishing in jail since 25.10.2024, though, against him, there are criminal antecedents of two cases but he is on bail in both the said cases and he was not put on test identification parade before the informant.

5. Mr. Sunil Kumar, learned counsel appearing for the petitioner, Pappu Rao, submits that the petitioner has been languishing in jail since 18.12.2024 and he was having acquaintance with the informant and there was some money transaction dispute between them and owing to



misunderstanding, the informant lodged the FIR but later, he realized his mistake and entered into compromise with this petitioner, though, he remained accused in Buniyadganj P.S. Case No. 28 of 2016 and convicted in the said case but later his appeal was allowed and therefore, there is no criminal antecedent against him. It is further submitted that the said petitioner and the informant are residents of the same locality.

6. Learned APPs appearing for the State have opposed the prayer for bail of the petitioners.

7. Heard both the sides and perused the FIR and the case diary of this case. Though, as per the prosecution, two motorcycles, cash of Rs. 20,000/- and a mobile phone are said to have been recovered from the possession of the petitioner, Bablu Kumar @ Bhutali Bindas, but during the course of argument, learned APP has not shown any connection between the seized articles and the commission of the alleged occurrence. Considering this aspect and also taking into account his custody period and the completion of investigation against him, this Court is inclined to release him on bail. Accordingly, let the petitioner, Bablu Kumar @ Bhutali Bindas (in Cr. Misc. No. 9031 of 2025) be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of the concerned Court in connection with Buniyadganj P.S. Case No. 267 of 2024.

8. So far as the prayer of petitioner, Pappu Rao (in Cr. Misc. No. 9557 of 2025) is concerned, as the informant identified him when he was put before him on test identification parade and in this regard, relevant material is available in the case diary, so, considering this aspect, this Court is not inclined to release him on bail at this stage. Accordingly, his prayer stands rejected.

9. The petitioner, Pappu Rao, is given a liberty to renew his bail prayer after the framing of charge upon him, if the same has not been framed.

(Shailendra Singh, J)

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