

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25235 of 2025

Arising Out of PS. Case No.-624 Year-2024 Thana- GAYA KOTWALI District- Gaya

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Dhananjay Kumar, aged about 42 years, (Male), Son of Late Amarendra Singh, Resident of Mohalla- Ganga Mahal Tutwari, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-08-2025 Heard Mr. Shivendra Prasad, learned counsel appearing on behalf of the petitioner and Mr. Anant Kumar 1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kotwali P.S. Case No. 624 of 2024, registered for the offence punishable under Sections 308(2), 308(5) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner had illegally extorted money from the tempo drivers.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner claims that license was issued on 17.01.2022 to collect parking charges,



which was valid for three years. The FIR has been lodged on 28.11.2024, during the currency of the license and, as such, he had collected the parking charge legally. Therefore, no case of extortion against the petitioner is made out. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner had valid license to collect parking charges, which was issued on 17.01.2022 and was valid for three years and the FIR was lodged on 28.11.2024, therefore, no case of extortion of money in illegal manner is made out. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 624



of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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