

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25132 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Rocky Kumar @ Indrajit Kumar S/O Ramji Paswan R/O Village- Nanhachak, P.S- Mufasil, Gaya, Bihar.
2. Anup Kumar S/O Kanhay Paswan R/O Village- Nanhachak, P.S- Mufasil, Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyadarshi Pankaj Raj Anand, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Mufassil P.S. Case No. 687 of 2024 instituted for the offences under Sections 126(2), 115(2), 109, 140(3), 308(3), 303(1), 3(5) of the BNS.

3. The prosecution case, in short, is that on 10.08.2024 when the Informant was going to meet his friend, all the accused persons including the petitioners stopped him and all of a sudden assaulted at his head due to which the Informant fell down and got unconscious. Thereafter, the Informant was taken to Doctor with the help of the accused persons and got treated. It is further alleged that all the accused persons took the Informant on motorcycle near the bank of *Falgu* river and the petitioner



no.1, namely, Rocky Kumar dialed to the phone number of the house of the Informant from his mobile and demanded Rs. Two lacs from the mother of the Informant whereafter his mother informed the matter to the police. It is also alleged that the accused persons took away Rs. Forty thousand, locket, Aadhar card and Pan card of the Informant when he was unconscious.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. The only specific allegation against the petitioner no. 1 is that he demanded extortion of Rs. 2 lakhs from the informant's mother. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that there is specific allegation of demanded extortion to the tune of rupees two lakhs from the informant's mother.

6. Considering the aforesaid facts and circumstances of the case, since there is specific allegation of demanding extortion against the petitioner no. 1, I am not inclined to grant



anticipatory bail to petitioner no.1.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner no.1 is rejected.

8. So far as petitioner no. 2 is concerned, there being no specific allegation against him, this Court is inclined to grant bail to the petitioner no.2.

9. Let the petitioner no.2, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mufassil P.S. Case No. 687 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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