

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25050 of 2025

Arising Out of PS. Case No.-1351 Year-2023 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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Abhishek Kumar S/o Chandrika Prasad Resident of Flat no. 408, Amrapali Green Halvasiya Apartment, Sector-3, Vrindavan Yojna, P.S.-P.G.I, District-Lucknow, State-Uttar Pradesh, at present resident of Ground Floor, Asmi Realtors, Near R.P.S. Law College, P.S.-Danapur, District-Patna,

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subodh Rai @ Subodh Kumar S/o Late Devendra Rai R/o Saguna, P.S.-Danapur, Distt.- Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kamlesh Kumar Singh
For the Opposite Party/s	:	Mr. Rabindra Kumar
For the Complainant	:	Mr. Ayush

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State, Mr. Rabindra Kumar and the learned counsel appearing on behalf of the complainant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 379, 384, 386, 406, 420, 504, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and the informant alleges that he entered into a development agreement with the petitioner for construction of a multi-storied building on his land, but the work did not start, on inquiry, it transpired that petitioner has closed his office and fled, thereafter the complainant got the



development agreement cancelled and started construction on his land in the year 2022 and constructed a five storied building, further the petitioner along with other accused persons came while informant was constructing his South side boundary, when petitioner demanded extortion of Rs. 50 Lakhs and threatened with pistol, on which the complainant gave an amount of Rs. 10,000/- while Vikash and Ravi snatched his chain and Rado watch respectively.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is further submitted that from perusal of the allegation as alleged in the complaint, it would manifest that complainant himself alleges that he had entered into a development agreement with the petitioner, but then the development agreement was not given effect to and the agreement was subsequently cancelled, which amply demonstrates that petitioner and the complainant were known to each other from before, as such, they entered into a development agreement. It is also submitted that on account of dispute relating to development agreement, the present false case came to be instituted. It is next submitted that it does not appear probable that the petitioner would have demanded extortion of Rs. 50 Lakhs and would have been satisfied with Rs. 10,000/- which the complainant alleges that he



gave to the petitioner.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the complainant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner and the complainant were known to each other from before and they had entered into a development agreement for constructing a building.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1351(C) of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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