

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29318 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- KOTWALI District- Patna

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Santosh Kumar S/o Late Babulal Gupta Resident of Village- Nehrau Tola,
P.S.- Chowk Patna City, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner, State and the informant.

2. The petitioner apprehends his arrest in connection with Kotwali P.S. Case No. 96 of 2025 for the offence registered under sections 308(2), 308(3), 351(2), 352, 3(5) of BNS.

3. As per the prosecution story, the informant alleged that when construction work was going on on his land, the accused persons including this petitioner came with unknown persons, abused and wanted extortion money. The entire incident was videographed and is part of the case diary. The allegation is that earlier also, due to such attitude, Kotwali P.S. Case No. 401 of 2023 was lodged on 24.05.2023 in which the case was found to be true. Besides, the petitioner is accused in another case under Section 420 of the IPC in connection with Kotwali P.S. Case No. 143 of 2021.

4. Learned counsel for the petitioner submits that



actually civil dispute has been given the color of no case, only to ensure that the illegality committed by the informant is not objected to, repeated FIRs are being lodged.

5. Learned counsel representing the informant on the other hand has not only taken the Court to the FIR but has also submitted that earlier also, the petitioner resorted to the same modus operandi which followed the FIR lodged by the informant. Besides, he submits that in Kotwali P.S. Case no. 143 of 2021, the petitioner tried to come out by giving a false narration that his daughter is going to be married. The Co-ordinate Bench on the report of the Police that no such marriage is going to be solemnized, deprecated the petitioner. This happened in Cr. Misc. No. 68319 of 2021 (Santosh Kumar Vs. the State of Bihar) on 18.01.2022.

6. Considering the submissions of the parties as also the materials on record coupled with the fact that this petitioner has criminal antecedent, no relief can be extended to him. It would be appropriate that he seek bail.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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