

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31430 of 2025

Arising Out of PS. Case No.-26 Year-2022 Thana- HATHUA District- Gopalganj

Vivek Puri S/o Hridyanand Puri Resident of village - Machhagar Jagdish,
Police Station - Hathua, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-09-2025 Heard the parties.

2. The petitioner seeks bail in connection with Hathua P.S. Case No. 26 of 2022 registered for the offence under Sections 385 and 387 of the I.P.C. and Section 27 of Arms Act.

3. The petitioner is not named in the F.I.R. and is in custody since 30.01.2024.

4. The allegation against the petitioner is to demand extortion money of Rs. 50 lakh from informant and for that purpose a paper was thrown in front of the shop of the informant and firing was also done by miscreants. The name of petitioner was mentioned on the paper which was found



thrown before the shop of informant mentioning demand of Rs. 50 lakh as extortion.

5. Learned counsel appearing on behalf of the petitioner submitted that despite of availability of name of petitioner in FIR itself, he was not shown accused in column 7 of the FIR. It is submitted that as petitioner was found involved in six more criminal cases, due to suspicions, he was implicated with present case also without having any cogent reasons. It is submitted that during course of investigation one co-accused was apprehended on the basis of suspicions, who confessed *qua* involvement of this petitioner, in furtherance of which nothing incriminating material surfaced/recovered as to connect petitioner *prima-facie* with present occurrence of extortion. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and similarly situated co-accused namely, Tiger Gupta @ Munna Kumar Singh was granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 57666 of 2022 dated



03.02.2023.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as except suspicions arising out of confessional statement nothing incriminating appears during investigation as to connect petitioner *prima-facie* with present occurrence of extortion, coupled with fact that investigation of this case already completed where petitioner remains in custody since 30.01.2024, accordingly petitioner above named, is directed to be released on bail in connection with Hathua P.S. Case No. 26 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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