

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44306 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- GOPALGANJ TOWN District- Gopalganj

Abhilekh Kumar Tiwari @ Akhilesh S/o Late Bageshwari Tiwari R/o Village
-Tara Baba, Ward No- 11 ,P.S -Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-07-2025 Heard Mr. Rajeev Ranjan, learned counsel for the

petitioner and Mr. Humayou Ahmad Khan, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Gopalganj P.S. Case No. 43 of 2024 dated 14.01.2024 registered
for the offences punishable under sections 341, 323, 324, 327,
447, 387 read with section 34 of the Indian Penal Code and
section 27 of the Arms Act.

3. As per the allegation, on 13.01.2024 at about 18:00
hours, this petitioner along with 10 FIR named accused persons
and 5-6 unknown persons came to the land where the informant
was doing construction work and they assaulted him. Among the
accused persons, one person, namely, Abhishek Chaubey fired
upon the informant by his rifle. It is further alleged that the



accused persons demolished the boundary wall of the informant. It is further alleged that the day before the occurrence, i.e. on 12.01.2024, a demand of rupees ten lakhs was made from the informant by the accused persons as an extortion money and on account of non-fulfillment of the said demand, the alleged occurrence took place.

4. The main submissions advanced by petitioner's counsel are that though the petitioner is named in the FIR but against him there is simple allegation of demolishing the boundary wall of the informant and the allegation relating to extortion demand is against the co-accused persons. Though against this petitioner, there are criminal antecedents of five cases but out of them, four have been lodged by the informant of this case and the petitioner has been languishing in jail since 02.04.2025.

5. Learned APP for the State has opposed the prayer of the petitioner.

6. Heard both the sides and perused the FIR and the trial court's order. The instant matter relates to extortion demand and as per the prosecution, the petitioner and co-accused persons being eleven in number, are members of land mafia and one day before the commission of the alleged occurrence, they



had demanded rupees ten lakhs from the informant regarding which a complaint was also filed by the informant at Gopalganj Town police station and thereafter, the alleged occurrence relating to *marpit* and breaking of boundary wall of the informant by the accused persons including the petitioner, took place. Against this petitioner, there are criminal antecedents of five cases, of them admittedly the FIRs in relation to four cases have been lodged by the same informant against this petitioner and it is accepted by petitioner’s counsel that the petitioner has been chargesheeted in all these four cases, considering all these facts, I am not inclined to release the petitioner on bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

