

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40302 of 2025

Arising Out of PS. Case No.-421 Year-2024 Thana- GAYA MUFASIL District- Gaya

Suraj Kumar @ Suraj Kumar Singh S/o Shyamnandan Singh Resident of
Mohalla- Dandi Bag, PS- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-07-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Gaya Muffasil Police Station Case No. 421 of
2024, disclosing offences under Sections 341, 323, 386, 504,
506, 34 of the Indian Penal Code and Section 27 of the Arms
Act.
3. As per the prosecution case, while the informant
was running his cement and iron rod shop, the accused persons
including Suraj Kumar (petitioner) and others arrived at his
shop at around 5:00 P.M., demanded extortion money
(rangdari), and assaulted him. When objected they allegedly
pointed pistols, fired in the air, broke the shop counter, and
forcibly took Rs. 67,800/-. Informant was further threatened to



pay Rs. 1 lakh per month to continue his business.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner and no specific overt act is alleged upon the petitioner. Petitioner was in Patna at the time of alleged occurrence and his presence in Patna could have been ascertained with the help of CCTV footage of Patna Railway Station of the date and time of occurrence. He next submits that even there is allegation of assault and open firing but no injury has been sustained by anyone nor any sign of firing was found at the place of occurrence. He next submits that petitioner earlier approached the learned Additional Sessions Judge-IX, Gaya, and the same was rejected vide order dated 23.08.2024 passed in ABP No. 2661 of 2024 on the sole ground that prima facie, it appears that specific allegation of taking Rs. 67,800/- was attributed upon the co-accused Ranjan Paswan and not upon the petitioner. He further submits that a joint compromise petition has been filed by the informant and the accused petitioner wherein it has been stated that the name of the accused petitioner was wrongly implicated in the FIR due to misunderstanding.



5. I have heard learned counsel for the parties and have gone through the materials on record including the impugned order and the order passed by the learned Additional Sessions Judge-IX, Gaya. From perusal of the impugned order and the order passed by learned Additional Sessions Judge-IX, Gaya, it appears that petitioner along with other accused persons demanded extortion and also looted Rs. 67,800/- from the drawer of the informant. The bail application of the petitioner was rejected earlier on merit by Additional Sessions Judge, IX.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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