

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63358 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- Baijnathpur District- Saharsa

Rupesh Kumar S/o Lalan Ram R/o Village- Rudalpur Madhopur, P.S.-
Jalalpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Alexander Ashok, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 127(2), 115(2), 308(2), 308(6), 308(7), 318(4), 351(2), 351(3) and 61(2) of the B.N.S..

3. As per prosecution case, it is alleged that this petitioner, who happens to be a probationer A.S.I., along with co-accused Amarjyoti, who happens to be S.H.O. of Baijnathpur Police Station, one Mukesh Paswan and others, in a planned conspiracy, illegally detained the informant for extortion and assaulted him. It is further alleged that the informant was released only after fulfillment of their demand of extortion. It is specifically alleged that Rs. 29,000/- cash was paid to co-



accused Amarjyoti and two transactions of Rs. 25,000/- each were made to two different mobile numbers as per instructions of accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of demanding extortion is against co-accused Amarjyoti. So far as this petitioner is concerned, there is absolutely no allegation of overt act or demand of extortion against him. It is not the case of the prosecution that petitioner has received a single farthing from the informant. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other accused persons, in a planned conspiracy, detained the informant and took extortion from him. During investigation, an enquiry report was submitted by the S.D.P.O., which is based on the CCTV footage and statement of members of the DIU team, which goes to show active participation of this petitioner in the offence.

6. Considering the facts and circumstances of the



case, specific and direct nature of accusation and materials that have surfaced during course of investigation, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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