

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73026 of 2024

Arising Out of PS. Case No.-152 Year-2023 Thana- BARGAINIA District- Sitamarhi

Shatrudhan Kumar @ Kaliya Son of Umesh Singh Resident of Village-
Musachak P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-01-2025 Heard Mr. Birendra Kumar, learned counsel

appearing for the petitioner and Mr. Jharkhandi Upadhyay,

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bairgania P.S. Case No. 152 of 2023 dated 21.06.2023 registered for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code and Sections 8/20(b)(ii)(c) of the NDPS Act and Section 25(1B)a, 26 and 35 of the Arms Act.

3. As per the prosecution story, the informant stated that on 21.06.2023 at about 2:55 p.m. he received an information from Pankaj Kumar (owner of a grocery shop) that the accused, Dhiraj Jaiswal, alongwith his associates came to his shop and demanded extortion money. When the informant alongwith other police personnel reached at the shop, some of



the accused fled away but four co-accused were apprehended by the police and on search, the police seized several items including 1.610 Kg *Charas*. The apprehended accused disclosed that they including the petitioner and others were involved in the illegal business of demanding extortion money from businessmen by threatening them.

4. The main submissions advanced by petitioner's counsel are that the petitioner is not alleged to have been apprehended at the spot and against him, there are criminal antecedents of two cases and he has been falsely implicated in the present matter and he is completely an innocent person.

5. On the other hand, learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submitted that the instant matter relates to the serious offences of Arms Act, N.D.P.S Act and the Indian Penal Code.

6. Heard both the sides, perused the FIR and case diary of this case. As per the prosecution story, the accused persons including the petitioner named in the FIR, indulged in extortion business and their gang leader namely, Dhiraj Jaiswal is carrying criminal antecedents of 19 cases of which details has been given in the FIR itself and at the spot, four co-accused persons were apprehended with firearms, narcotic materials



being in commercial quantity, currency notes and the petitioner has two criminal antecedents and the case is under investigation and as per the prosecution, the petitioner’s name surfaced in the statement of the apprehended co-accused as being involved with other co-accused persons in the alleged occurrence. Considering these facts, this Court is not inclined to grant the relief of anticipatory bail to the petitioner, accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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