

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84249 of 2024

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

Deepu Malakar @ Dipu Malakar S/O Naresh Malakar R/O Village -
Bhadeja ,P.S - Muffasil ,Distt.- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Muffasil P.S. Case No. 421 of 2024, registered on 16.05.2024, for the offences punishable under Sections 341, 323, 386, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against seven named accused persons, including the present petitioner, against whom there is an allegation that the accused persons, along with 6-7 unknown individuals, raided the informant's shop and started demanding ransom. They also threatened him, stating that he had not paid any ransom at the time of constructing his house. When opposed, they started



firing in the air, and one of the accused, namely Ranjan Paswan, looted Rs. 67,800/- in cash from the counter of the informant's shop and also threatened him to pay Rs. 1,00,000/- every month as ransom, otherwise to shut down the shop.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that there is an absolutely general and omnibus allegation made against the petitioner. Counsel also submits that the specific allegation is against the co-accused, namely Ranjan Paswan, and not against the present petitioner. It is further submitted that the antecedent of the petitioner is not clean, as four criminal cases are pending against him. Counsel also submits that a co-accused has already been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 11.12.2024 passed in Cr. Misc. No. 83066 of 2024.

5. Learned APP for the State opposes the prayer for bail and submits that, although it is true that a co-accused has been granted bail by this Hon'ble Court, but there is only one criminal antecedent against him. In the present case, similar types of allegations have been made in all four cases against the petitioner, which makes it crystal clear that the petitioner is a habitual offender involved in demanding ransom.



6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby **rejected**.

7. However, if the petitioner surrenders within six weeks from today and prays for regular bail, then the Trial Court shall pass order on the surrender- cum- bail application of the petitioner on the same day without being prejudice of the present order and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

Aman Kumar/-

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

