

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55074 of 2025

Arising Out of PS. Case No.-831 Year-2023 Thana- SUPAUL District- Supaul

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Durgesh Shivam @ Samar Thakur S/O Rupesh Kumar @ Jai Shankar Thakur
R/O Mohalla- Ward No 13,Bhumihar Tola,Nagar Parishad, Supaul and Distt-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Kanhiya Kishor

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-03-2026 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Supaul P.S. Case No.831/2023, registered for the offences punishable under Sections 341, 342, 386, 387, 452, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that he has a jewellery shop and resides on rent in the house of Sadanand Sah, further on 29.10.2023 at 11.30 A.M. Nirdosh Yadav @ Subhash Kumar Yadav along with 6-7 unknown accused persons came and rang the doorbell and the door was opened by his minor son aged about 8 years and the accused



persons forcefully entered his house and Nirdosh put pistol on the head of his son and demanded extortion of Rs.10 lacs or else the son would be killed, the informant said he does not have Rs.10 lacs in the house, on which, Nirdosh fired between his legs, hence the wife of the informant on account of fear, gave Rs.4,50,000/- and the same was video-graphed by the accused persons, further while leaving the accused persons threatened that if rest Rs.5,50,000/- is not paid by the evening the entire family would be wiped out.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR. It is further submitted that thrust of the allegation is against Nirdosh. It is also submitted that even informant has not identified the petitioner or else would have named him. It is next submitted that during course of investigation, the name of the petitioner transpired based on information provided by the spy. It is also submitted that petitioner on the date of occurrence was not even present at the place of occurrence rather was at Madhepura i.e. his native place. It is next submitted that Nirdosh was arrested and he has been granted the privilege of regular bail by the learned District Court.

5. Learned A.P.P. for the State vehemently opposes the



prayer for anticipatory bail of the petitioner and submits that though petitioner is not named in the FIR but then during the course of investigation, his name transpired. It is also submitted that allegations are serious as the informant alleges that he has a jewellery shop and Nirdosh along with accused persons forcefully entered his house and kept his minor son on gun point and thereafter demanded extortion, based on which, wife of the informant even gave Rs.4,50,000/-. It is further submitted that petitioner has antecedent of two cases and if privilege of anticipatory bail is granted, the petitioner may abscond or try to tamper with the evidence. It is also submitted that as far as submission of the learned counsel appearing on behalf of the petitioner is that petitioner was present in his native place on the date of occurrence, the same is a plea of alibi, which is a weak plea.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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