

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58524 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- KHAGAUL District- Patna

Binod Kumar S/o Anant Rai @ Anant Roy R/o - Maula Kamla Gopalpur, P.S -
Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 62334 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- KHAGAUL District- Patna

Sunny Kumar @ Rohit Ranjan S/o Late Vijay Prasad R/o Village- Kothwan,
P.S.- Khagaul, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 58524 of 2025)
For the Petitioner/s : Mr.Ghanshyam Tiwary
Mr.Mithilesh Kr. Arya
For the Opposite Party/s : Mr.Ajay Mishra (APP)
Mr.Apurv Harsh
Mr.Manu Tripurari
Mr.Raghu Raj Pratap
Mr.Astitva
Mr.Hritik Anand
Mr.Pranshu Prakash
Mr.Jaya Singh
Mr.Aditi Sahay
(In CRIMINAL MISCELLANEOUS No. 62334 of 2025)
For the Petitioner/s : Mr.Sanjiv Sharan
Mr.aditya kumar
For the Opposite Party/s : Mr.Ajay Mishra- A.P.P.
Mr.Mr.Apurv Harsh
Mr.Manu Tripurari
Mr.Raghu Raj Pratap
Mr.Astitva
Mr.Hritik Anand
Mr.Pranshu Prakash
Mr.Jaya Singh
Mr.Aditi Sahay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA



ORAL ORDER

6 01-05-2026 **CRIMINAL MISCELLANEOUS No.58524 of 2025**

1. Heard learned Counsel for the petitioner and learned APP Mr. Ajay Mishra for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 111(4), 111(6) and 111(7) of B.N.S., 2023.

3. Learned Counsel appearing on behalf of the petitioner submits that petitioner has antecedents of two cases. It is further submitted that Khagaul P.S. Case No.129 of 2025, dated 10.04.2025 was instituted wherein one Kumar Gaurav (informant), a builder, alleged that he received a call from Mobile No.7488332851 and the caller disclosed his name as Pinku Yadav brother of Ritlal and asked the informant to purchase construction material from him for his ongoing construction work and threatened that if he will not buy the construction material from him, then he will not be able to proceed with construction of his ongoing project. Further, the informant started purchasing construction material from him but no bill was provided. Further, Niraj and Dheeraj used to come on the site of the



informant with the materials. It is next alleged that according to him, the price of the purchased material was Rs.19 lakhs but accused were demanding Rs.33 lakhs. It is further alleged that the higher demand is basically in nature of extortion. It is next alleged that he received a call from Ritlal Yadav who asked the informant to come and meet him at his village, accordingly, Kumar Gaurav (informant) along with his partner met Ritlal and took time for payment. Further, his partner again got a call from Ritlal who threatened to make payment of Rs.30 lakhs. Further, an amount of Rs.4 lakhs was paid and Ritlal was assured that rest amount Rs.26 lakhs shall be paid after Deepawali or Chhath. It is next alleged that Ritlal made him sign on a stamp paper that he has taken loan of Rs.30 lakhs out of which Rs.4 lakhs is being paid, next alleges that since Rs.26 lakhs, which was being demanded by way of extortion, was not paid, hence the informant started receiving threatening from different numbers. Further, Dheeraj, Niraj, Shrawan along with others came and made the labourers working on the site leave, next alleges that one Sunil came and disclosed that since informant has entered into an agreement



for sale for purchasing 15 Katthas land in Ritlal's village, hence he should meet him and he will fix the meeting, next alleges that Sunil is the man who deals with extortion money, further alleges that about 10 days back, brother-in-law of Ritlal, namely, Chiku came and threatened how he has purchased 15 Katthas of land in the village without permission of Ritlal and also disclosed that land owner from whom he purchased the land was killed by them and demanded extortion of Rs.10 lakhs, further alleges that informant gave Rs.10 lakhs out of fear and also cleared the earlier dues and he has recording of threats being given by Ritlal.

4. It is submitted that the instant petitioner was not an accused in Khagaul P.S. Case No.129 of 2025, which was with regard to demand of extortion, as recorded herein above. It is next submitted that during course of investigation of Khagaul P.S. Case No.129 of 2025, certain additional materials came to the notice of the authorities based on which the superior officers directed the subordinate authority to institute a separate FIR based on which the instant FIR came to be instituted in which the



petitioner is seeking bail. It is submitted that the allegation in the instant FIR is that the informant alleges that accused persons including the petitioner along with others are part of an organized gang and demands ransom from real estate builders and businessmen by threatening them of dire consequences and, as such, have amassed huge wealth illegally.

5. The learned Counsel for the petitioner submits that it absolutely does not stand to reason that as to why a second FIR came to be instituted when in Khagaul P.S. Case No.129 of 2025 itself the allegations, as alleged in the instant FIR, could have been investigated. It is further submitted that though petitioner is named in the FIR but then no specific allegation is alleged against him but then during course of investigation, it has come that house of the petitioner was raided and some blank stamp papers along with cash and other objectionable articles were recovered but then authorities do not disclose what was the amount of cash which was seized from the house of the petitioner. It is next submitted that petitioner being maternal nephew of Ritlal Yadav came to be implicated in the instant case. It is



further submitted that no doubt petitioner has antecedent of two cases but then the said cases are not related to extortion. It is also submitted that had petitioner not been related to Ritlal Yadav in that event the petitioner would not have been implicated in the instant case.

6. The learned APP Mr. Ajay Mishra vehemently opposes the bail application and submits that the submissions made by the learned Counsel appearing on behalf of the petitioner no doubt on the face of it appears to be attractive but then the issue raised in the instant regular bail application cannot be adjudicated in the instant jurisdiction. It is submitted that if petitioner is aggrieved by the fact that as to why the instant FIR was instituted when the allegation against the petitioner could have been investigated in Khagaul P.S. Case No.129 of 2025 itself, the petitioner can move before an appropriate forum for seeking redressal of his grievance. It is also submitted that the present FIR has been instituted with an allegation that petitioner and others are involved in organized crime and have amassed wealth disproportionate to their known sources of income.



7. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner has land worth Rs.2,60,00,000/- but then the same was purchased not from money amassed through illegal means, but from earning of the petitioner on which learned A.P.P. submits that the same also requires to be investigated for which interrogation of the petitioner is necessary. It is also submitted that if privilege of anticipatory bail is granted the petitioner may abscond or try to tamper with the evidence.

8. After hearing learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned A.P.P. as such is not inclined to extend the privilege of anticipatory bail application to the petitioner.

9. The prayer of the petitioner for anticipatory bail stands rejected. Rejected.

CRIMINAL MISCELLANEOUS No. 62334 of 2025

1. Heard learned Counsel for the petitioner and learned APP Mr. Ajay Mishra for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 111(4), 111(6) and 111(7) of B.N.S., 2023.



3. Learned Counsel appearing on behalf of the petitioner submits that petitioner has antecedents of one case on which the learned A.P.P. submits that the said case is of extortion as Khagaul P. S. Case No.166 of 2018 was instituted under Section 386, 504 and 34 of the I.P.C. It is further submitted that Khagaul P.S. Case No.129 of 2025, dated 10.04.2025 was instituted wherein one Kumar Gaurav (informant), a builder, alleged that he received a call from Mobile No.7488332851 and the caller disclosed his name as Pinku Yadav brother of Ritlal and asked the informant to purchase construction material from him for his ongoing construction work and threatened that if he will not buy the construction material from him, then he will not be able to proceed with construction of his ongoing project. Further, the informant started purchasing construction material from him but no bill was provided. Further, Niraj and Dheeraj used to come on the site of the informant with the materials. It is next alleged that according to him, the price of the purchased material was Rs.19 lakhs but accused were demanding Rs.33 lakhs. It is further alleged that the higher demand is basically in nature of extortion It is next alleged



that he received a call from Ritlal Yadav who asked the informant to come and meet him at his village, accordingly, Kumar Gaurav (informant) along with his partner met Ritlal and took time for payment. Further, his partner again got a call from Ritlal who threatened to make payment of Rs.30 lakhs. Further, an amount of Rs.4 lakhs was paid and Ritlal was assured that rest amount Rs.26 lakhs shall be paid after Deepawali or Chhath. It is next alleged that Ritlal made him sign on a stamp paper that he has taken loan of Rs.30 lakhs out of which Rs.4 lakhs is being paid, next alleges that since Rs.26 lakhs, which was being demanded by way of extortion, was not paid, hence the informant started receiving threatening from different numbers. Further, Dheeraj, Niraj, Shrawan along with others came and made the labourers working on the site leave, next alleges that one Sunil came and disclosed that since informant has entered into an agreement for sale for purchasing 15 Katthas land in Ritlal's village, hence he should meet him and he will fix the meeting, next alleges that Sunil is the man who deals with extortion money, further alleges that about 10 days back, brother-in-law of Ritlal, namely, Chiku



came and threatened how he has purchased 15 Katthas of land in the village without permission of Ritlal and also disclosed that land owner from whom he purchased the land was killed by them and demanded extortion of Rs.10 lakhs, further alleges that informant gave Rs.10 lakhs out of fear and also cleared the earlier dues and he has recording of threats being given by Ritlal.

4. It is submitted that the instant petitioner was not an accused in Khagaul P.S. Case No.129 of 2025, which was with regard to demand of extortion, as recorded herein above. It is next submitted that during course of investigation of Khagaul P.S. Case No.129 of 2025, certain additional materials came to the notice of the authorities based on which the superior officers directed the subordinate authority to institute a separate FIR based on which the instant FIR came to be instituted in which the petitioner is seeking bail. It is submitted that the allegation in the instant FIR is that the informant alleges that accused persons including the petitioner along with others are part of an organized gang and demands ransom from real estate builders and businessmen by threatening them of dire



consequences and, as such, have amassed huge wealth illegally.

5. The learned Counsel for the petitioner submits that it absolutely does not stand to reason that as to why a second FIR came to be instituted when in Khagaul P.S. Case No.129 of 2025 itself the allegations, as alleged in the instant FIR, could have been investigated. It is further submitted that though petitioner is named in the FIR but then no specific allegation is alleged against him but then during course of investigation, it transpired that petitioner used to collect rent from the shops constructed on the land of the government on which learned A.P.P. submits that it was not collection of rent rather was extortion as the shops were built on the land of the government as such petitioner had no occasion to go to the shopkeepers for collection of rent.

6. The learned APP Mr. Ajay Mishra vehemently opposes the bail application and submits that the submissions made by the learned Counsel appearing on behalf of the petitioner no doubt on the face of it appears to be attractive but then the issue raised in the instant regular bail



application cannot be adjudicated in the instant jurisdiction. It is submitted that if petitioner is aggrieved by the fact that as to why the instant FIR was instituted when the allegation against the petitioner could have been investigated in Khagaul P.S. Case No.129 of 2025 itself, the petitioner can move before an appropriate forum for seeking redressal of his grievance. It is also submitted that the present FIR has been instituted with an allegation that petitioner and others are involved in organized crime and have amassed wealth disproportionate to their known sources of income. It is also submitted that if privilege of anticipatory bail is granted the petitioner may abscond or try to tamper with the evidence.

7. After hearing learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned A.P.P. as such is not inclined to extend the privilege of anticipatory bail application to the petitioner.

8. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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