

COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- IIIrd, SAHARSA

RBA No.-385/2026

Arising out of Baijnathpur P.S. Case No.-62/2025

Rupesh KumarPetitioner

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
18.06.2026	1. The present bail petition has been filed on behalf of accused petitioner Rupesh Kumar who is in custody since 13.05.2026 in connection with Baijnathpur P.S. case no.-62/2025 registered U/S. 126(2), 127(2), 115(2), 308(2), 308(6), 308(7), 318(4), 351(2), 351(3) and 61(2) of BNS. The record has been put up for hearing. 2. Heard Sri B.K. Jha, learned counsel for the petitioner as well as the learned A.P.P. Sadanand Yadav for the State. 3. The case of prosecution in brief as per written information of Avinash Kumar resident of village Pathraha P.S Parmanandpur, District- Madhepura, is that the accused persons including the present petitioner Rupesh Kumar said to be probationer ASI along with co-accused Amarjyoti SHO of Baijnathpur Police Station and one Mukesh Paswan and others in conspiracy have illegally detained the informant for extortion and he was also subjected to assault and was released only after fulfillment of alleged demand of extortion. Allegedly the part of extortion money has been paid in cash to the co-accused Amarjyoti to the tune of Rs 29,000/- while payment of Rs 25,000/- each in two separate transactions have been made on two different mobile numbers including 9821682041 and 7545059655 as per the instruction of Amarjyoti. 4. Learned counsel for the petitioner submitted that petitioner Rupesh Kumar has been falsely implicated in this case. Further it is submitted that earlier ABA No.-571 of 2025 had been filed by the petitioner and the same was rejected from this Court of Addl. Sessions Judge-III on 30.07.2025. Further his prayer for pre-arrest bail has also	

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Contd. 18-06-2026	been rejected from the Hon'ble High Court vide order dated 15.09.2025 passed in Cri. Misc. No.-63358 of 2025. Further it is submitted that he is not having any concerned with the co-accused Amarjyoti and Mukesh Paswan in whose account money were allegedly said to have been transferred. Lastly he submitted that the petitioner has been suspended and is in custody since 13.05.2026 having voluntarily surrendered before the court. 5. Learned APP opposed the prayer for bail and submitted that there is specific allegation of extortion and getting undue advantage by the public servant. 6. Perused the record. On perusal of the record it appears that accused applicant Rupesh Kumar being a public servant, at the time of alleged incident said to be posted as probationer ASI at Baijnathpur Police station that he in conspiracy with other accused including Amarjyoti illegally detained the informant and subjected him to assault for the purpose of extortion by putting him in fear of injury and of released the person from illegal detention only after having received the alleged extortion money. The material on record including the inquiry report of the SDPO based on CCTV Footage and statement of members of DIU team is there on the record and the same also shows active participation of the accused petitioner Rupesh Kumar in the alleged crime. Further complicity of the petitioner also transpires from the statement of informant mentioned in Para-13 as well as from the statement of witnesses mentioned in Para- 4 of supplementary case diary. The case has been registered for the offences including Sections 126(2), 127(2), 115(2), 308(2), 308(6), 308(7), 318(4), 351(2), 351(3) and 61(2) of BNS. for the alleged act of assault and extortion. The material on record shows that the present petitioner is a public servant and there is specific allegation against him is of obtaining undue	
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contd. 18.06.2026	advantage and the same at this stage also shows presence of ingredient for the offence punishable under Section 7 of the Prevention of Corruption Act. The alleged act of the public servant is daring and audacious. Furthermore the case with respect to the present petitioner is still under investigation. Beside it the prayer for pre-arrest bail of the accused petitioner has earlier been rejected from the Hon'ble High Court vide order dated 15.09.2025 passed in Cri. Misc. No.-63358 of 2025. 7. Considering the facts and circumstances and seriousness of the offence, I am not inclined to enlarge petitioner namely Rupesh Kumar on bail. Accordingly prayer for bail of petitioner namely Rupesh Kumar is hereby rejected. Dictated sd/- (Chandan Kumar) District & Addl. Sessions Judge III.	

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