

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24246 of 2021**

Arising Out of PS. Case No.-262 Year-2020 Thana- GANDHIMAIDAN District- Patna

Ashwini Kumar Mishra @ Ashwini Mishra @ Ashwani Kumar Mishra Son  
Of Ajit Bihari Mishra Resident Of House No.-47, Lane No.-3, Near Sector- 5,  
Gurugram, P.S. Sec-5 Old Gurugram , District- Gurugram, State Of Haryana

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nilanjan Chatterjee  
For the Opposite Party/s : Mr. Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      16-02-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Learned counsel for the petitioner is  
expected to honour his undertaking given in the  
instant case for depositing the requisite court fee and  
to remove the defects as pointed out by the office  
when called upon to do so by the office.

The petitioner is apprehending his arrest in a  
case registered for the offences punishable under  
Sections 466, 467, 468, 34, 120(B) of the Indian



Penal Code.

It is alleged against the petitioner that he along with his brother Jay Prakash Mishra, on assurance of providing job, took the savings account, *Aadhar* Card and Pan Card of the informant and on the basis of such documents, opened bank accounts in different banks without his knowledge and made transactions of crores of rupees.

It is submitted by learned counsel for the petitioner that thrust of accusation is against co-accused Jay Prakash Mishra. The petitioner is doing his own business at Haryana and co-accused Jay Prakash Mishra is known to the petitioner since he is co-villager of the petitioner and petitioner has no concern with any affairs of co-accused Jay Prakash Mishra. Moreover, the allegation of the informant that accounts were opened without his consent is false and concocted as accounts cannot be opened



without presence of account holder. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforestated facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 14<sup>th</sup> Sub-Judge-cum-A.C.J.M, Patna in connection with Gandhi Maidan P.S. Case No. 262 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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