

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32078 of 2021

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

JAY PRAKASH MISHRA Son of Late Ras Bihari Mishra R/o House No.-47,
First Floor Gali No.3, Behind Bharat Petrol Pump, Near Sector-5 Gurgaon,
P.S.- Gurgaon, Dist- Gurgaon. (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution story in short is that the petitioner
and co-accused Ashwini Kumar 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, get
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 the petitioner has falsely been implicated in this case. He



further submits that there is no financial transaction either directly or through bank account of the petitioner and the informant. It is specific stand of the petitioner that the cheque numbers mentioned in the present FIR has never been credited either in the account of the petitioner or in any account of the blood relation of the petitioner. He further submits that no transactions have taken place between the accounts of the petitioner and the informant. He further submits that the current accounts, which have been alleged to be opened by the petitioner, have been opened in the name of career point, for which documents of career point like its PAN, GST etc. must have been required, which is not possible to be made without the knowledge of the informant due to which the petitioner has been made accused by the informant. He further submits that the mobile nos.8954063379 mentioned in the FIR does not belong to the petitioner whereas mobile no.7678254862 belongs to the petitioner and it is pertinent to mention here that the petitioner never received any messages or calls regarding the alleged accounts on the aforesaid mobile number. He further submits that similarly situated co-accused has already been granted anticipatory bail by this Court passed in Cr. Misc. No.24246 of 2021. Petitioner has got clean antecedent.



Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, 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)

Brajesh Kumar/-

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