

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19274 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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Ravi Kashyap Mishra @ Nepali Son Of Mahachandra Mishra R/O Village-
Shapta, P.S.- Rahika, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

As per the prosecution case, on secret information, when the police personnel raided the mango orchard then 5-6 persons present in the mango garden started running after seeing the police force, thereafter, the police seized motorcycle, mobile phone and loaded pistol.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is implicated in this case on the basis of confessional statement of Amit Kumar and Amar Raj. He further submits that during the course of the investigation independent witnesses have not supported the prosecution case. He submits that no any incriminating material was recovered from the house or possession of the petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that no any incriminating material was recovered from the house or possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Madhubani Town P.S. Case No. 152 of 2022, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel for the petitioner has stated that the petitioner has one criminal antecedent i.e. Madhubani Town P.S. Case No. 480 of 2015 U/s 379, 411, 414, 401, 403, 413, 467, 468, 471, 419, 420, 34 of the IPC, if the petitioner have more than one criminal antecedent then the bail bond of the petitioner shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

anand/-

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