

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44602 of 2024**

Arising Out of PS. Case No.-3 Year-2015 Thana- YADOPUR District- Gopalganj

Arvind Mishra @ Radha krishan Mishra @ Baba S/o Umashankar Mishra R/o  
Village- Basdila Khas, P.s.-Gopalganj, District-Gopalganj, Bihar-841428

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Akshay Ashish, Adv

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      24-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Yadopur P.S. Case No. 03 of 2015 dated 04.01.2015, instituted  
for the offence punishable under Sections 414, 120(B)/34 of the  
Indian Penal Code.

3. The prosecution case, in short, is that on the basis  
of secret information, the police officials started vehicle  
checking and in the process they found that four persons on two  
motorcycles began to flee away, who were chased by the police  
and out of whom three were caught, who revealed their names  
and also disclosed the name of the petitioner.

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



case. It is submitted that only on the basis of confessional statement of three apprehended accused persons, the petitioner has been made accused in this case. No incriminating article has been recovered from the possession of the petitioner. It is submitted that alleged motorcycles have been recovered from the co-accused persons, namely, Vinit Singh, Binay Kumar and Harendra Yadav. It is further submitted that petitioner had no knowledge about the present case as he works out of State to earn his livelihood. Few days ago when the police personnel went to the house of the petitioner, then petitioner's father enquired about the case through his counsel and came to know about the present case. It is also submitted that petitioner has no concern with the alleged motorcycles as well as with the concerned apprehended persons. It is submitted that apprehended persons have already been granted bail by different co-ordinate Benches of this Court which is annexed as Annexure P-3 series. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Yadopur P.S. Case No. 03 of 2015, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M-Ist Class XVth, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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