

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4683 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- TARAPUR District- Munger

Krishna Kumar Mishra @ Raju Mishra S/o Late Pran Balav Mishra R/o
Village- Madhavpur, PS- Kotwali, Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard Mr. Surendra Kumar Sinha, learned counsel for
the petitioner and Mr. Jitendra Kumar Singh, learned APP for
the State.

2. The petitioner is apprehending arrest in connection
with Tarapur P.S. Case No. 243 of 2024 instituted under
Sections 103 of BNS and section 27 of Arms Act lodged on
02.09.2024 by the informant, Nitish Kumar.

3. As per the prosecution story, the informant alleged
that his brother was running a tea shop and in the night, he was
sleeping alongwith his son. When the informant on the next day,
went to the place, found the shop closed and upon going inside,
found him dead with blood oozing out, his son was sleeping



beside. This led to the FIR against unknown.

4. A coordinate bench had called for the case diary which is on record.

5. Learned counsel for the petitioner submits that the petitioner is a lawyer only drafted the agreement relating to a land between Meera Devi and Mukesh Mishra. Meera Devi is related to the deceased. He had no role to play, in any case, there is no eye-witness to the occurrence, he is ready to cooperate in the investigation. The last submission is that he do not have criminal antecedent.

6. Learned APP opposes the prayer submitting that needle of suspicion has been raised towards him.

7. Considering the submissions of the parties as also upon perusing the FIR/case diary specially the supervision note, there is no eye-witness to the occurrence, the allegation against the petitioner has come only because he is the person behind drafting of the agreement, has no criminal antecedent, an undertaking has been given that he shall be cooperating in the investigation, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a



period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Tarapur P.S. Case No. 243 of 2024 to the satisfaction of learned A.C.J.M.-III cum Sub-Judge-IV, Munger subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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