

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29754 of 2025

Arising Out of PS. Case No.-359 Year-2021 Thana- RAGHOPUR District- Supaul

Shiv Shankar Kumar Son of Pawan Kumar Mehta @ Pawan Mehta Resident
of Village - Jaynagara Ward No.- 09, P.S.- Pratapganj, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Raghopur P.S. Case No. 359 of 2021 registered for the offences punishable under Sections 413, 414 and 34 of the IPC.

3. As per prosecution case, one motorcycle was found and co-accused Subodh Mandal and Subhash Kumar Mandal were apprehended at the spot and they disclosed that they bought the stolen motorcycle from petitioner and others.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. From the perusal of the FIR, it appears that motorcycle was parked at



the door of co-accused Subodh Mandal. Petitioner is not in any way connected with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Except disclosure of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. Learned counsel submits that petitioner bears criminal antecedent of two cases in which he is on bail in one case. He further submits that petitioner has falsely been implicated in the case just because of having criminal antecedent. Learned counsel further submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate Birpur at Supaul in connection with Raghopur P.S. Case No. 359 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

