

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69654 of 2025**

Arising Out of PS. Case No.-55 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Biru Mishra @ Veeru Mishra S/O Late Laddu Mishra R/O Village- Rasulpur,  
P.S- Lalganj, District- vaishhali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Adv.,  
Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      24-09-2025                      Heard the learned counsel for the petitioner and the  
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 55 of 2025, dated 09.09.2025, registered under Sections 317 (5), 3(5) of the B.N.S. and Sections 25(1-b)a, 26/35 of the Arms Act.

3. The prosecution case, in brief, is that the informant got a confidential information that on N.H. 27 four miscreants are standing and planning to commit a crime. When the police party reached there, the accused started fleeing away, but two of them have been apprehended and two escape from there. On search one desi katta and live cartridge were recovered from the motorcycle, which the accused persons were using.



4. It is submitted by Mr. N.K. Agarwal, learned senior counsel for the petitioner that on the basis of confessional statement of co-accused namely Ritik Kumar, the name of the petitioner has surfaced in the F.I.R, who was arrested on the spot and on enquiry by the Police, who was not in a position to produce any document to the pertaining Motorcycle. Therefore, they were arrested and on search one desi katta and live cartridge were recovered from the Motorcycle, which is said to have been stolen and used by them. There is no cogent material has been found against this petitioner to suggest his complicity in the commission of the said offence. There is no recovery of any incriminating materials from the possession of the petitioner, on search being made by the Investigating Officer. It has next been submitted that petitioner has one criminal antecedent, in which he is extended privilege of anticipatory bail vide order dated 13.08.2025, passed in Cr. Misc. No. 33693 of 2025.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts that there is no incriminating material has been recovered from the possession of the petitioner, on search being made by the Investigating Officer, the name of the petitioner has surfaced on the confessional statement of co-accused Ritik Kumar, who was arrested on the spot and there is no



cogent material has been found against this petitioner to suggest his complicity in the commission of the said offence, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned C.J.M., Gopalganj in connection with Kuchaikote P.S. Case No. 55 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

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

(ii) the petitioner (s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) 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;

(iv) the petitioner (s) shall desist from committing any



criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of their bail bonds.

**(Ajit Kumar, J)**

pravinkumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

