

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27968 of 2024**

Arising Out of PS. Case No.-925 Year-2023 Thana- GAYA MUFASIL District- Gaya

Nitish Kumar son of Shiv Ranjan Singh @ Chintu Singh @ Pintu Singh  
Resident of village- Kobil, P.S.- Islampur, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 35599 of 2024**

Arising Out of PS. Case No.-925 Year-2023 Thana- GAYA MUFASIL District- Gaya

Md. Anas son of Md. Mulla Aalam @ Md. Mustafa Hussain @ Md. Murtaza  
Hussain Resident of Village- Mali Bigha, Utri Malah Bigha, Islampur, P.S.-  
Islampur, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 27968 of 2024)

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Arun Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 35599 of 2024)

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

3      01-08-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seeks regular bail in connection  
with Muffasil P.S. Case No. 925 of 2023 registered for the  
offence punishable under Section-394 of the Indian Penal Code



and 27 of the Arms Act.

3. Allegedly, the accused persons came to the petrol pump of the informant. They had covered their faces with Gamchha. The miscreants tried to enter into cash counter of the petrol pump and on the resistance made by the informant, one of them opened fire, which hit the chest and arms of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case. Though the informant claimed to have identified the miscreants but the petitioners have not been put on TIP to ascertain their participation in the alleged occurrence. His further submission is that in the entire case diary, except confessional statement of the petitioners, there is nothing against them. As per prosecution case, though some arms were recovered on the basis of confessional statement of the petitioners but the recovered items are not the subject matter of the present case. Petitioners are in custody since 17-10-2023.

5. On the other hand, learned counsel appearing for the State has opposed the prayer for bail by submitting that the petitioners confessed their guilt and on the basis of their confessional statement, arms and ammunitions were recovered.

6. Considering the aforesaid facts and circumstances



as well as period of custody, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 925 of 2023 subject to the conditions that the petitioners shall appear in the court below on each and every date fixed in the case and if, he fails to do so on two consecutive dates unless they are prevented by extremely adverse circumstances, the learned court below shall be at liberty to cancel the bail bonds of the petitioners.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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