

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35839 of 2024**

Arising Out of PS. Case No.-42 Year-2024 Thana- AMNAUR District- Saran

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1. Mithun Kumar Yadav SON OF TARKESHWAR Yadav Resident of Village- GARAUL, P.S.- Amnour, District Saran at Chapra
  2. SUJEET KUMAR SON OF BHARAT RAI @ BHARAT PRASAD YADAV Resident of Village- GARAUL, P.S.- Amnour, District Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dewendra Narayan Singh  
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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

ORAL ORDER

3      05-07-2024                      Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Amnaur P.S. Case No. 42 of 2024 for the offences punishable under Section 395 of the IPC and Section 27 of the Arms Act.

3. As per allegation, the informant is a pick-up driver his pick-up van was intercepted by 5-6 unknown persons. They opened fire and forcibly took away his samsung mobile and also cash of Rs. 3,300/-.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. He has further submitted that the petitioners are not arrested at the spot. They are not named in the FIR. Nothing was recovered from their possession and except the confessional statement of the petitioners as well as confessional statements of co-accused persons, there is nothing against the petitioners in the entire case diary.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the accused persons including the petitioners confessed their guilt and in their confessional statements, they have specifically stated that the said mobile was given to the co-accused Golu. Co-accused Golu has also rendered confessional statement, in which he has depicted the entire story and the said mobile was recovered from possession of co-accused Golu.

6. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation and also the fact that the petitioner has a criminal antecedent of similar nature, I do not think it to be a fit case for bail, which is hereby rejected.

**(Nawneet Kumar Pandey, J)**

Nirmal/-

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