

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65232 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- ARIYARI District- Sheikhpura

Mithlesh Kumar @ Mitthu Yadav S/o Sanjay Yadav R/o Acharyadih, P.S. -
Sikandra, Distt. - jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Ariyari P.S. Case No.
141 of 2024, instituted for the offences punishable under
Sections 394/34 of the Indian Penal Code, Sections 25(1-B)(a),
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, three
unknown miscreants intercepted the informant and on the point
of gun looted his bag containing golden and silver ornaments. It
is further alleged that the miscreants assaulted him with pistol.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired during course of the investigation on the basis of his criminal antecedents. It is further submitted that no recovery of looted articles have been made from the possession of the petitioner as well as no T.I. parade has been conducted in this case. The petitioner is in custody since 26.06.2024 and has got five criminal antecedents in which he is on bail in all cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that the petitioner is involved in the alleged offence along with other co-accused persons. There is sufficient material against the petitioner showing his complicity in the alleged crime. It is further submitted that the petitioner has five criminal antecedents of similar nature. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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