

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11473 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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TUFFANI RAI, age about 33 years, Son of Santlal Rai, Resident of Village -
Rampur, Keshpatti, P.S.- Muffasil, Distt - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.
For the Opposite Party : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 328, 307 and 379/34 of the IPC.

The prosecution story, in brief, is that on 13.03.2019,
the informant was going to his native place by hiring a vehicle
when the driver of the vehicle asked for water bottle from the
informant, thereafter, the informant gave him water bottle but
the driver of the vehicle returned the water bottle saying that the
water was hot. After sometime, when the informant drank water
from that bottle, he got unconscious and his A.T.M. Cards, cash
amount of Rs. 3200/-, Identify Card, Aadhar Card, Pan Card,
Driving license and two Mobile phones were snatched.



Subsequently, when the informant regained consciousness, he found that total cash of Rs. 65,000/- was withdrawn by using his ATM Cards.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 24.06.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused persons have been granted bail by another Coordinate Benches of this Court vide Cr. Misc. No. 77249 of 2019 under order dated 04.12.2019 and Cr. Misc. No. 81868 of 2019 under order dated 18.12.2019 annexed as Annexures 2 and 3 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional Sessions Judge-7th, Darbhanga, in connection with S.T. No. 509 of 2019, arising out of Sadar P.S. Case No. 111 of 2019.

(Sudhir Singh, J)

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