

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21963 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- GAYA (R.T) District- Patna

Dinanath Sah Son of Late Raghunath Sah Resident of Sabalpur Bhavan Toli,
P.S.- Sonpur, District- Chhapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suryadeo Prasad Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gaya Rail P.S. Case No. 236 of 2024 registered for the alleged offences under Sections 303(20 and 123 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the informant was administered some intoxicating substance by an unknown person and when the informant became unconscious, that person took away Rs. 900/- cash, wrist watch and a bag containing Aadhar Card, Pan Card and other articles from the informant. The petitioner was apprehended during investigation and from possession of the petitioner, the articles stolen from the informant were recovered apart from 60 tablets of Narcotic



Drugs and powder.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is not believable that after committing theft the petitioner would keep roaming in the same premises. The FIR has been lodged after delay of two days for which there is no satisfactory explanation. No Narcotic Drug or Psychotropic Substance has been recovered from the petitioner and there is no report about any such substance. The petitioner is in custody since 17.09.2024 and charge sheet has been submitted. The petitioner is having antecedent of two cases and he is on bail in both the cases.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner spiked the *lassi* of the informant and took away his belongings and later on caught while carrying intoxicating drugs and powder.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Magistrate, Railway Court, Gaya/court concerned in connection with Gaya Rail P.S. Case No. 236 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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