

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33209 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- DANAPUR RAIL P.S. District- Patna

Tufani Ray S/o Santlal Ray R/o Ward No. 08, Rampur Kesho Patti, P.S.-
Muffasil Samastipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Swetabh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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

ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 1381 of 2024 arising out of Danapur Rail P.S.
Case No. 138 of 2024 instituted for the offences under Sections
123, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that some unknown
miscreants offered some drink to the informant and after
consuming the same, he became unconscious. Thereafter, they
fled away with laptop, charger, headphone, purse and other
belongings of the informant.

4. Learned counsel for the petitioner submitted that
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The names of the petitioners transpired in this case on the basis of CCTV footage. Learned counsel further contended that so far as CCTV footage is concerned, informant was not seen in the visual on the alleged date and time of occurrence which creates doubt over the prosecution story. No incriminating/looted article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.07.2024, having five criminal antecedents. Other co-accused have been granted bail by this Court vide orders dated 17-02-2025, passed in Cr. Misc. No. 80485 of 2024.

5. A report was called for from the court below and it is reported that case is fixed for prosecution evidence.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner was identified in the T.I. Parade. Police after completion of investigation has submitted charge sheet in this case.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner 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 Court below/concerned Court in connection with Sessions Trial No. 1381 of 2024 arising out of Danapur Rail P.S. Case No. 138 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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