

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80485 of 2024

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

1. Ashok Sinha S/o Lala hari Pd. Sinha Resident of village Purendrapur P.S.- Akangarsarai, District- Nalanda.
2. Sanjay Jha S/o Umesh Jha Residence of Sahbajpur, P.S.- Ahiyapur, District- Mujaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 17-02-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Sessions Trial No. 1381 of 2024 arising out of Rail Danapur 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 petitioners submitted that



petitioners have falsely been implicated in the present case. Petitioners are 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 petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 17.07.2024. Petitioner no. 1 has clean antecedent whereas petitioner no. 2 has two criminal antecedents but he is on bail in both the cases.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each 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 Rail Danapur P.S. Case No. 138 of



2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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