

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88876 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- RAGHOPUR District- Vaishali

Tuntun Ray S/O Lalbabu Rai Resident Of Village Rustampur, ward No 12, Ps Rustampur, Raghapur, Dist Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Raghapur P.S. Case No. 243 of 2024, instituted for the offences punishable under Sections 317(4) and 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that police on the basis of secret information raided the house of Tuntun Rai (petitioner) and arrested co-accused Santosh Rai whereas other accused persons fled away. It is further alleged that one motorcycle and different parts of the motorcycle were recovered from the spot.

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 submits that the petitioner was not arrested on spot. It is next submitted that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 08.09.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 17.01.2026 passed in Cr. Misc. No. 2793 of 2026.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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

7. Let the petitioner be released on bail on furnishing bail, ***after framing of charge, if not already framed***, bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur P.S. Case No. 243 of 2024,



subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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