

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32556 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -BARH District- PATNA

=====

1. Ramashish Mistri S/o Late Rambriksha Mistri Resident of Village Tola Berhna, P.S. Barh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. A.L.Pandit(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 06-11-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 420, 489 (B) and 34 of the I.P.C

Allegedly, Munna Kumar, the son of the petitioner went to purchase Air ticket for Bangalore and paid Rs. 12,000/- which were fake and accordingly he was arrested and during investigation from the house of the petitioner fake currency notes worth Rs. 22,200/- were recovered lying in abandoned state.

Submission is of false implication and that the petitioner has no concern with the affairs of his son who was mentally unfit. No offence under section 489 (B) I.P.C. is made out against the petitioner and at best it can be under section 489 (C) I.P.C. which is bailable. The petitioner was not using the said

fake currency notes and as such the petitioner who is suffering in custody since 26.03.2015 deserves sympathetic consideration.

The learned A.P.P. fairly submits that the offence under section 489 (C) I.P.C is bailable but there is section 420 I.P.C. also.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted against the petitioner and from the joint house the alleged fake currency notes were recovered and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, 3rd, Barh, Patna in S.T. No. 350 of 2015/ 461 of 2015 arising out of Barh P.S. Case No. 111 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--