

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17823 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -GARDANIBAGH District- PATNA

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Ansuman Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.17937 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -GARDANIBAGH District- PATNA

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Ozair Iqbal @ Bazair Iqbal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.17823 of 2015)

For the Petitioner/s : Mr. Shailendra Kumar Singh-Advocate

For the Opposite Party/s : Mr. Sharda Kumari (A.P.P.)

(In Cr.Misc. No.17937 of 2015)

For the Petitioner/s : Mr. Shailendra Kumar Singh-Advocate

For the Opposite Party/s : Mr. B.N. Pandey (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 24-06-2015 Since both these two petitions arise out of Gardanibagh P. S. Case no.39 of 2015, on account thereof, have been heard conjointly and are being disposed of by a common order.

It has been alleged that both the petitioners had visited shop of informant where they purchased wrist watch at a price of Rs.180/- and for that, they had handed over a currency note of Rs.1,000/-. Then thereafter, both of them escaped there from. Later on, the currency note found to be fake whereupon both the petitioners were searched, intercepted. Police was informed, on

search from the possession of petitioner Ansuman Kumar, seven currency notes of rupees one thousand and from the possession of Ozair Iqbal, seven currency notes of rupees five hundred, having counterfeit were seized.

It has been submitted on behalf of petitioners that prosecution case happens to be improbable, because of the fact that it is unbelievable to accept that for a watch costing Rs.180/-, petitioners would have paid currency note of Rs.1,000/- and that too without waiting for return of remaining amount, would leave the place and that happens to be crux with falsified the allegation. Further, both the petitioners have got no criminal antecedent and are under custody since 13.02.2015.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Accordingly, petitioners, **Ansuman Kumar** and **Ozair Iqbal @ Bazair Iqbal** each are 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 Mr. Manoj Kumar, Judicial Magistrate, 1st Class, Patna in connection with Gardanibagh P. S. Case no.39 of 2015.

(Aditya Kumar Trivedi, J)

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