

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6433 of 2015

Arising Out of PS.Case No. -245 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Mohammad Riyaz @ Munna Mian S/o Tahir Mian r/o village -
Laxmipur, P.S. Raxaul, Distt. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-05-2015

Heard both sides.

The petitioner seeks his bail in Raxaul P.S.Case No. 245 of 2014 registered under Sections 489A, 489B and 489C of the IPC.

The Inspector, SSB got information about transportation of fake currency notes being taken from the Nepal Territory to Indian Territory and accordingly, SSB under the supervision of Jitendra Kumar, Inspector, led trap and the petitioner was apprehended in front of a shop having a bag and from his possession, 100 notes of 1000 denomination, were recovered which were found to be fake.

Shri Krishna Kant Singh, learned counsel for the petitioner, submits that one shop keeper was to hand over the bag to the Constable Dinesh Kumar who claimed to be the shop keeper. There is no material to show that the petitioner was transporting the fake currency notes. At best the offence under Section 489C can be made out as the fake currency notes said to

be recovered from the possession of the petitioner. The petitioner was not found to be indulged in transporting the fake currency notes. The FIR was lodged after much delay.

It appears that the petitioner had brought the said currency notes from Nepal Territory to circulate the same in the Indian Territory and from the possession of the petitioner, Rs.1,00,000/- fake currency notes were recovered. The offence is of serious nature. The circulation of fake currency notes shall cripple the national economy.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail and accordingly, the same is **rejected**.

(Prabhat Kumar Jha, J)

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