

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38507 of 2015

Arising out of PS.Case No. -69 Year- 2015 Thana -PANDARAK District- PATNA

SHAIENDRA KUMAR @ SAIENDRA KUMAR, Son of Late Keshav Mahto, resident of Village - Nauranga, Police Station - Bind, District - Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Chandra Sen Prasad Singh, Advocate.

For the Opposite Party : Mr. Ram Anurag Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 26.05.2015 in connection with Pandarak P.S. Case No. 69 of 2015 for the offences instituted under Sections 489(d), 420, 467, 468, 471 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on getting secret information, the informant alongwith the police personnels apprehended the petitioner and co-accused Sudarshan Mishri and in presence of two independent witnesses, the informant recovered and seized 20 bundles of forged rupees of Rs. 100-100 currency from possession of the petitioner. In interrogation, the petitioner confessed his guilt and told that the recovered bundles of Rs. 100-100 are forged currency which was manufactured in his home and

these forged notes were being taken by him for running in the open market.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 26.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. It is submitted that at best a case under Section 489(i) IPC is only made out. The petitioner has been made accused in the present case due to mistake of fact. No compliance of Section 100 Cr.P.C. has been made in the present case.

On behalf of the State it has been submitted that from possession of the petitioner, counterfeit currency are said to have been recovered for an amount of Rs. 2,00,000/-.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Pandarak P.S. Case No. 69/2015, pending in the court of the learned A.C.J.M., Barh, Patna. Anyhow, the Trial Court is directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)