

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10575 of 2015

Arising Out of PS.Case No. -3 Year- 2012 Thana -ECONOMIC OFFENCE District-
MUZAFFARPUR

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1. Imran Khan @ Imran Teli @ Imran Son of Firoz Ahmad Resident of
Village Mathauli, P.S. Bairiya, District- East Champaran.

.... Petitioner/s

Versus

1. The Union of India Through Commissioner Customs, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/ DRI : Mr. Devendra Kumar, SC/DRI.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

10 11-01-2016 Heard the learned counsel for the petitioner as well as
the learned Standing Counsel for the D.R.I.

The petitioner seeks bail in a case for the offence
punishable under section 135 of the Customs Act, 1962 read with
sections 3 (2) and 3(3) of Foreign Trade (D & R) Act 1992.

Fake Indian currency notes of Rs. 500/- denomination
having face value of Rs. 24,50,000/- was recovered from the
sound box of Home Theatre of Malaysian origin which was
imported from Thailand into India as a courier parcel through Blue
Dart DHL courier and acting on the information two persons were
apprehended along with motorcycle at Blue Dart DHL, courier
located at Anamika Plaza, Harisabha Road, Kalyani Chowk,



Muzaffarpur. The statement of Masroor Ahmad @ Master was recorded under section 108 of the Customs Act, 1962 wherein he admitted that the said consignment of fake Indian currency notes was brought into India in association with the petitioner. He further confessed that as per direction of the petitioner he procured one address and mobile phone number for booking of the consignment of fake currency notes from Bangkok and accordingly the prosecution alleged that the petitioner was engaged in the planning, illegal importation, possession and transportation of fake Indian currency notes.

Submission is of false implication and that the statement of co-accused wherein the name of the petitioner transpired, has got no evidentiary value in the eye of law, the said parcel was booked in the name and address of Jagarnath Sah and not in the name of the petitioner and the petitioner is suffering in custody since 26.04.2014 and up till now only charge has been framed and the case has been fixed for evidence.

The learned standing counsel for D.R.I. opposes prayer for bail by submitting that in association of the petitioner the said consignment was brought in India and he is involved in such activities, he has got criminal antecedent also as he is involved in Crime Case No. 03 of 2013 under sections 121 A, 489

B and 489 C of the I.P.C. and section 16 of Unlawful Activities Prevention Act, 1967, P.S. ATS, District- Lucknow, wherein the prayer for bail has already been rejected in which the petitioner was caught with fake currency notes.

In the facts and circumstances as stated above, considering that the petitioner is involved in such crime and his name was taken at once by the co-accused receiving consignment containing fake currency notes and further noticing the allegation, serious in nature, this Court is not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with D.R.I. Case No. 03 of 2012-13 pending in the court of P.O. (Spl.), Economic offences, Muzaffarpur.

However, the learned court below is directed to expedite the trial and to conclude the same as early as possible preferably within six months taking the same on priority basis.

(Jitendra Mohan Sharma, J)

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