

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6603 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -MANJHAGARH District- GOPALGANJ

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1. Pappu Kumar S/o Amarjeet Prasad
2. Ramesh Kumar @ Raju S/o Amarjeet Prasad
Both resident of village - Alapur, P.S. Manjhagarh, District - Gopalganj
..... Petitioners

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Nawal Kishore Prasad, Advocate
For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 11-04-2016 Heard learned Sr. Counsel for the petitioners and learned
APP for the Sate.

The petitioners seek bail in connection with Manjhagarh P.S. Case No. 202 of 2015 registered for the offences punishable under Sections 420, 467, 468, 471, 120b of the Indian Penal Code, Section 4 of Prevention of Money Laundering Act and Sections 66, 72, 75 of I. T. Act.

Allegedly, the informant and other Police personnel after getting information that the petitioners are Hawala Traders and are in touch with other persons who are Hawala Agents in Pakistan and Saudi Arabia, the house of the petitioners was searched and huge amount of cash, several mobile SIM, cheque books and pass books of different banks were recovered and

further from mobile it reveals that they are in contact with the persons outside the country.

Submission is of false implication and that no offence as alleged is made out, the amount recovered from possession of the petitioners are neither black money nor illegal money, the petitioner no. 1 is Assistant Manager of Vijaipur Mandal Manjhagarh and petitioner no. 2 is PACS President of Sipah Khas under Manjhagarh Block, the father of petitioners runs a brick kiln and the petitioners are assisting their father in the said business, DGP, A.T.S. has written to S.P. Gopalganj vide memo no. 579 dated 31.10.2015 that in this case no offence under Section 4 of Prevention of Money Laundering Act is made out and has directed to get the same deleted after filing petition in the concerned court and that memo has been annexed as annexure-2 with supplementary affidavit, the petitioners are in custody since 19.09.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, no witness or claimant has come forward to say that he/she was cheated to which the learned APP opposes by submitting that the recovery of incriminating article shows the involvement of the petitioners.

In the facts and circumstances stated above, considering the detention of the petitioners and further chargesheet has already

been submitted and there is no chance of tampering with the prosecution evidence, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Vivek Kumar Singh, J. M. 1st Class, Gopalganj in connection with Manjhagarh P.S. Case No. 202 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

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(Jitendra Mohan Sharma, J)

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