

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56110 of 2015

Arising Out of PS.Case No. -350 Year- 2015 Thana -ARARIA District- ARRARIA

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Arshad @ Ashad Son of Moinuddin, Resident of Village and Post Office -
Baturbari, Police Station - Tarabari, District - Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saghir Ahmad

For the Opposite Party/s : Mr. Renuka Ratnakar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Araria (R.S.) P.S. Case No. 350 of 2015 registered for the offences punishable under Sections 489(A), 489(B) and 489(C) of the Indian Penal Code.

Allegedly the informant sold his she-calf for Rs. 9,000/- and the purchaser gave fake currency note of Rs. 9,000/- to him and thereafter the petitioner was caught by informant, clerk (*Munsi*) of the Cattle-fair and person present in the cattle-fair, further recovered Rs. 7,000/- of fake currency note from possession of the petitioner.

Submission is of false implication and that the petitioner has been made victim of the circumstance, he has gone to sell his buffalo and the informant being mediator demanded Rs.

1,000/- and on refusal, the informant and the clerk (*Munsi*) got implicated the petitioner after maneuvering the story resulting the petitioner is suffering in custody since 16.07.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has confessed his guilt and the witnesses have supported the allegation.

In the facts and circumstances stated above, considering the detention of the petitioner and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Araria arising out of Araria (R.S.) P.S. Case No. 350 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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