

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10679 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -SHIWAPATHI District- MUZAFFARPUR

=====

Diplesh Kumar @ Dilip Kumar Son of Sri Bishwanath Das R/o Village -
Neknama, P.S. Shiwaipatti, Dist - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Branch Manager, Uttar Bihar Gramin Bank, Branch Tengari, Distt -
Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mrs. Anusuiya Jaiswal, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 14.11.2016 in connection with Siwaipatti P.S. Case
No. 114 of 2016 registered for the offence punishable under
Sections 420, 467, 468, 471, 489-A, 489-B and 489-C of the
Indian Penal Code.

The prosecution case, as lodged by the Branch
Manager of the Bank, is that the petitioner came to deposit
98 currency notes of 500 rupees denomination amounting to
Rs. 49,000/-, which on examination were found to be fake.
Accordingly, a First Information Report has been instituted.



It has been submitted by the learned counsel for the petitioner that he is innocent and had gone to Nepal where his father works and while he was returning, his father gave him Nepali currency. It is further submitted that when petitioner reached near Raxaul, he exchanged the said currency in Indian currency and he did not know that fake currency notes were given to him and innocently he went to Bank to deposit the said amount. He further submits that petitioner bears no criminal history and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned counsel for the informant submits that the petitioner had gone to Bank to deposit Rs. 49,000/- in 500 rupees denomination, which were found to be fake, hence, opposes the prayer for bail. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum Sub-Judge 9th, Muzaffarpur in connection



with Siwaipatti P.S. Case No. 114 of 2016, subject to the condition that both the bailors would be close relative of the petitioner.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

