

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33352 of 2017

Arising Out of PS.Case No. -265 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Hare Prakash Thakur, son of Shubh Kant Thakur, resident of Village-
Korthu, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Forbesganj
P.S. Case No. 265 of 2017 for offences punishable under
Sections 420, 489, 489(A), 489(B), 489 (C) of the Indian Penal
Code.

The prosecution case, as lodged by the police
personnel, is that on secret information the petitioner was
apprehended and from his possession Rs. 50,000/- in
denomination of Rs. 2000/- was recovered which was fake
currency notes. Accordingly, the seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that his confessional statement before the police has no evidentiary value in the eye of law and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that Sections 489(A) and 489(B) of the Indian Penal Code are not applicable against him and that he is languishing in custody since 20.04.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent as one more case is pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 265 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to



appear on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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