

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35517 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -DARBHANGA RAIL P.S. District-
SAMASTIPUR

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Sufal Chaudhary @ Sufal Choudhary @ Suklal Choudhary @ Subelal Choudhary, son of late Yadunandan Choudhary, resident of village Karnpur, Ward No. 4, P.S. Rudrapur, District Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 31.03.2017 in connection with Darbhanga Rail P.S. Case No. 28/2017 for offences punishable under Sections 420, 467, 468, 489-A, 489-B, 489-C and 34 of the Indian Penal Code.

The prosecution case, as lodged by the railway police personnel, is that one Udesh Kumar Mandal was apprehended with fake currency notes of Rs. 1,02,200/-, who revealed the name of the petitioner that in lieu of Rs. 20,000/- fake currency notes would be taken by the petitioner. Thereafter co-accused Udesh Kumar Mandal called the petitioner, who came with another person in his motorcycle. On search, from the possession of the



petitioner Rs. 22,100/- was recovered, and, accordingly, seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has not committed any offence. He submits that co-accused Udesb Kumar Mandal has named the petitioner on being apprehended by the police and that even during search of his house nothing incriminating has been found. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent and was also involved in dealing with fake currency notes although the kingpin was one Md. Nehar.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of nine months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Rail, Samastipur, in connection with Darbhanga Rail P.S. Case No. 28/2017, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient



immovable property, who will file an affidavit stating his relationship with the petitioner and the details of their property and that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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