

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56421 of 2017**

Arising Out of PS.Case No. -70 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

- =====
1. Md. Maqsood Alam @ Masud Alam @ Gajo Wala, son of Late Ainuddin @ Aminuddin
  2. Md. Shahjad Alam, son of Md. Samsuddin, Both Resident of Village - Hat Gangi, Police Station- Bahadurganj, District- Kishanganj.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Binay Kumar, Advocate.

For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      07-02-2018                      Heard learned counsel for the petitioners and learned counsel for the State.

2. This is the third attempt of the petitioners for grant of bail in connection with Kochadhaman P.S. Case No. 70 of 2016 for the offence alleged under Sections 489(A), 489(B) and 489(C) of the Indian Penal Code. The petitioners' prayer for bail were rejected earlier on two occasions by order dated 22.08.2016 in Cr. Misc. No. 33006 of 2016 and order dated 25.01.2017 in Cr. Misc. No. 53422 of 2016.

3. It is submitted that even according to the accusations of fake currency notes having been seized from the possession of the petitioner no. 1, the same constitutes offence under Section 489(C) which is a bailable offence. It is stated that trial is ongoing in which the seizure witnesses have been examined but have not supported the prosecution case.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody already suffered since 20.04.2016, let the



petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Assistant Sessions Judge-1st, Kishanganj, in connection with Sessions Trial No. 233 of 2016 arising out of Kochadhaman P.S. Case No. 70 of 2016, on the following conditions:-

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Md. Ibrarul/BT

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