

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14373 of 2018

Arising Out of PS.Case No. -196 Year- 2011 Thana -BUDDHACOLONY District- PATNA

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1. Abhay Kumar Sharma S/o Late Deep Narayan Sharma, R/o VPO Rangra,
P.S.- Gopalpur, Dt Bhagalpur & Ex. P.S. Writer Constable 2298 of Budha
Colony P.S., P.S.- Buddha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Dipak

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
G.R.No.6140 of 2011 arising out of Budha Colony P.S.Case
No.196/2011 , registered for offences punishable under Sections
406/201 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that 21 fake
notes of Rs.100/- was handed over to Budha Colony Police Station
for lodging the case. The petitioner was a Literate Constable and
further case is that out of those currency notes, one note was found
in circulation in the yea, 2009 and as such the present case has
been filed against the petitioner.

Submission of the learned counsel for the petitioner is that
the matter is of six years back and furthermore the petitioner has



now retired and he is not only responsible for circulation.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Ritu Kumari, J.M. 1st Class, Patna in connection with G.R. No.6140 of 2011 arising out of Budha Colony P.S.case No.196 of 2011 dated 22.12.2011, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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