

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48332 of 2018

Arising Out of PS.Case No. -690 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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1. Sita Nath Shankar, Son of Late Dharendra Nath Sarkar, resident of Village- Krishnapur Shyamtola, P.S.- Baishnabnagar, District- Maldah (West Bengal).

.... Petitioner/s

Versus

1. The Union of India Through Dharendra Kumar Intelligence Officer, DRT, Regional Unit, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. S.D Sanjay (Addl. Soc. Gen.)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-09-2018 Earlier prayer for bail of the petitioner was dismissed vide order dated 17.07.2017 passed in Cr. Misc. No. 17412 of 2017 in connection with Complaint Case No. 690(C) of 2014 for the alleged offences under Sections 135(i) (a) and 135(i) (b) of Customs Act and the allegation against the petitioner is of smuggling fake currency notes worth Rs. Six Lakhs.

Submission of learned counsel for the petitioner is that maximum punishment under the aforesaid Section is seven years and the petitioner has already remained in custody for about four years and he is ready to abide by any condition imposed on him for grant of bail.

Heard learned A.P.P. also.



Earlier a report was called for from the Trial Court with regard to stage of trial and the report has since been received, from which, it appears that out of seven witnesses, only three have been examined till date.

Considering the above facts and circumstances and also the fact that petitioner has been in judicial custody 31.12.2014, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Presiding Officer, Economic Office Court, Patna in connection with Complaint Case No. 690(C) of 2014, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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