

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30999 of 2018

Arising Out of PS. Case No.-39 Year-2016 Thana- RAMGARHWA District- East Champaran

Chandra Prakash Shukla S/o Late Ram Kuber Shukla Resident of Village -
Kunwarpurba, P.S. Madnapur, District - Mau (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved for bail which was
rejected by order dated 05.12.2017 passed in Cr. Misc. No.
57164 of 2017.

Petitioner is languishing in judicial custody since
08.06.2016 in connection with Sessions Trial No. 489 of 2017,
arising out of Ramgarhwa P.S. Case No. 39 of 2016 for offences
punishable under Sections 489 (B), 489(C) of the Indian Penal
Code.

The prosecution case, as lodged by the police
personnel, is that on secret information that fake currency notes
are being carried in a car from Nepal, the police conducted a
raid, intercepted the car and apprehended four persons including
the petitioner. From the car 8 lakhs of fake currency notes were



recovered and, accordingly, a 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 the trial is going on and petitioner undertakes to co-operate in the trial and not to tamper with the prosecution witnesses. He further submits that two of the apprehended co-accused have already been granted the privilege of bail on similar circumstances being Cr. Misc. No. 41186 of 2017 vide order dated 13.09.2017 and Cr. Misc. No. 62965 of 2017 vide order dated 23.03.2018.

However, learned APP for the State opposes the prayer for bail.

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 9th Additional Sessions Judge, Motihari, East Champaran, in connection with S.Tr. No. 489 of 2017, arising out of Ramgarhwa P.S. Case No. 39 of 2016, 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 co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Nilu Agrawal, J)

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