

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27473 of 2019

Arising Out of PS. Case No.-549 Year-2017 Thana- GANDHIMAIDAN District- Patna

Abhay Kumar Son of Laxman Singh Resident of Village - Katalpur, P.S.-
Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 29-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Gandhi Maidan P.S. Case No. 549 of 2017 registered for the
offence punishable under Sections 121(A), 420, 467, 468, 471,
120(B) of the Indian Penal Code, Section 112/117 of Custom
Act and 66 (C) of the I.T. Act.

On the tip-off of running of a False Exchange Centre
at Dak Bungalow, Patna by some unknown miscreants by which
some unscrupulous persons make contact from abroad for
carrying out nefarious activities causing great loss to the
government coffer, police raided the premises of Anil Kumar
Chaurasiya, Sushil Kumar Chaurasiya and Gautam Kumar and



recovered and seized some Hostaxix internet service provider, adapter, antina, mobile phones and server etc. Petitioner, who is said to be running the aforesaid Centre in the house of Gautam Kumar taking room on rent along with some other accused persons managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He is not a tenant of Gautam Kumar. The name of the petitioner has surfaced in the case only on the basis of disclosure made by Gautam Kumar due to animosity and barring the aforesaid disclosure, there is nothing on record indicating the complicity of the petitioner in the occurrence. He happens to be student of B.A. Part-1. He was not apprehended on the spot. Petitioner has no criminal antecedent. Similarly situated co-accused, namely, Mahesh Kumar Singh has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 02.02.2018 passed in Cr. Misc. No. 5709 of 2018.

Per contra, learned APP for the State opposing the bail prayer of the petitioner submitted that several incriminating article meant for running false exchange have been seized from



the premises of Anil Kumar Chaurasiya, Sushil Kumar Chaurasiya and Gautam Kumar and petitioner managed to escape, hence, he does not deserve bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VI cum A.C.J.M., Patna in connection with Gandhi Maidan P.S. Case No. 549 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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