

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42013 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- NARPATGANJ District- Araria

1. Sumit Sangam aged about 20 years (M), S/o Mahanand Mehta R/o village-Posdaha ward No. 06, P.S.- Fulkaha, District- Araria
2. Nikesh Yadav aged about 21 years (M), S/o Vinod Yadav R/o village-Sonapur ward no. 13, P.S.- Bathnaha, District- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 42315 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- NARPATGANJ District- Araria

Md. Afasar, Male, aged about 25 years, S/o Hameed @ Md. Hamid Resident of Village Sonapur Kamla Than, (Muslim Tola), P.S. Bathnaha, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42013 of 2019)

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Pradeep Narain Kumar

(In CRIMINAL MISCELLANEOUS No. 42315 of 2019)

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-08-2019 Heard learned counsel for the petitioners. No one appears on behalf of the State to oppose the application.

The petitioners are seeking anticipatory bail in connection with Narpatganj (Bathnaha) P.S. Case No. 165 of 2019 registered under Sections 489A, 489B, 489C of the Indian Penal Code.



Learned counsel for the petitioners submits that as per allegations the Dy. Commandant, Operation, 56th Battalion, S.S.B. Bathnaha conducted a raid upon the betel shop from where they recovered a black polythene bag filled with Indian Currency. The currency so recovered and seized turned out to be counterfeit as per F.I.C.N. detector test. The shopkeeper named these two persons saying that they had come to his shop just 10 minutes ago with a similar polythene bag and they were talking with each other about giving the polythene bag to Md. Afsar who is petitioner in Cr. Misc. No. 42315/2019.

It is stated that on the statement of the shopkeeper who seems to have made statement in order to save himself the petitioners have been made accused and are now apprehending their arrest.

Having heard learned counsel for the petitioners and on perusal of the records this court finds that the name of these petitioners have transpired allegedly in the statement of the betel shopkeeper from whose shop the polythene bag had been recovered, there being no independent material against the petitioners at this stage, as regards the petitioners in Cr. Misc. No. 42013 of 2019 who are on provisional bail, their provisional bail shall be confirmed on the same bail bond.



So far as petitioner in Cr. Misc. No. 42315/2019 (Md. Afasar) is concerned, in the facts and circumstances of the case, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M. Araria, in connection with Narpatganj (Bathnaha) P.S. Case No. 165 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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