

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13109 of 2020**

Arising Out of PS. Case No.-348 Year-2019 Thana- RAMPUR District- Gaya

TEJU YADAV @ MITHILESH KUMAR, S/o Ramswarup Yadav, R/o
Village- Belhariya, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The matter has been taken up through virtual Court
proceeding.

The petitioner has preferred the present application for
grant of bail in a case registered for the offences punishable
under Sections 489A, 489B, 489C, 489D, 489E of the I.P.C.,
1860 and Section 30(a) of the Bihar Prohibition and Excise Act,
2016, as amended by the Amendment Act 8 of 2018.

The prosecution case as per the self statement of Prashant
Kumar Singh, S.I. recorded on 27.09.2019 at 8.00 A.M. is to the
effect that on 26.09.2019 at 10.45 P.M., during patrolling, Teju
Yadav, the petitioner was apprehended and from enquiry, he
confessed that fake currency notes are being printed in a quarter



allotted to co-accused, Lakhan Das, but he rented the said quarter to co-accused, Suresh Rajak. Consequently, the quarter was raided from where, fake currency notes of Rs.50/- and Rs.200/- denomination, a laptop, printers and other articles along with 22 litres of Indian Made Foreign liquor were recovered. The co-accused, Suresh Rajak confessed that he along with the petitioner and co-accused, Sandeep Kumar used to print fake currency notes and they are also involved in dealing with the illicit liquor.

It is submitted by learned counsel for the petitioner that the admittedly, the recovery has not been made from the possession of the petitioner. In fact, the said recovery has been made from a government quarter which was allotted to co-accused, Lakhan Das who handed the said quarter on rent to co-accused, Suresh Rajak. It is further submitted that co-accused, Suresh Rajak has been granted bail by a Co-ordinate bench of this Court vide order dated 16.12.2019, passed in Criminal Miscellaneous No. 81106 of 2019. It is further submitted that the petitioner is languishing in custody since 06.11.2019 and the investigation has already been concluded. Though the petitioner is accused in four other cases, but in those cases, he is on bail. Statement to that effect has been made in paragraph no.3 of the petition.



Learned APP for the State submits that the recovery has been made on the confession of the petitioner and he is named in the FIR.

Considering the the fact that the recovery has not been made from the possession of the petitioner, the fact that co-accused, from whose possession, the said recovery was made, has been granted bail by a Co-ordinate bench of this Court and the investigation being concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Special Excise Judge, Gaya, in connection with Rampur P.S. Case No. 348 of 2019.

However, in view of the present pandemic, COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional



bail, of the like amount each to the satisfaction of the learned
Special Excise Judge, Gaya, in connection with Rampur P.S.
Case No. 348 of 2019.

The learned Court below will further be at liberty to
extend the period of provisional bail further if the Court
proceeding in physical mode will not resume in next three
months.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

