

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18303 of 2020

Arising Out of PS. Case No.-199 Year-2018 Thana- RAJEPUR District- East Champaran

INDRA KISHORE @ INDRA KISHORE CHAUDHARY S/o Late
Kapileshwar Chaudhary Resident of Village- Belwaghat, P.S.- Piprahi @
Piprahi, Distt- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shambhu Sharan Singh
For the Opposite Party/s :	Mr.Bal Mukund Prasad Sinha
	Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with S.T. No. 320 of 2019 arising out of Rajepur P.S. Case No. 199 of 2018, registered for the offence punishable under Sections 489(B), 489 (C), 420, 471, 474, 120(B) and 34 of the Indian Penal Code.

The present petition is second attempt at the behest of the



petitioner for grant of regular bail inasmuch as the earlier petition filed by the petitioner for grant of regular bail vide Criminal Miscellaneous No. 31790 of 2019 was dismissed by a coordinate Bench of this Court vide order dated 6.8.2019, however with liberty to the petitioner to renew the prayer for bail after six months in case no substantial progress is made in the trial.

It is alleged that police on secret information reached house of one Sheo Shankar Jha at village Madhuahan Brit and saw one person was sitting on a cot in the Veranda of that house with a bag. He tried to run away on seeing the police. He was apprehended by the police and, on interrogation, he disclosed his name as IndraKishore Chaudhary (petitioner). The police recovered Rs. 18,900/-of various denominations of counterfeit notes from his possession. The apprehended accused also disclosed that he had brought the said notes from Sachchita Prasad Kushwaha of village Neknema P.S.Siwai Patti Dist. Muzaffarpur. The informant has further alleged that, on query, the petitioner disclosed that on two earlier occasions also he had carried the fake currency notes and delivered to Kalawati Devi @ Saroj Jha wife of Shoe Shankar Jha of village Madhuahan Brit P.S. Rajepur and had taken original note after deducting



commission, as also he had been given the fake notes by one Sachchita Prasad Kushwaha and their two sons whose name he does not know.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that though the charges were framed in the ongoing trial on 20.8.2019, however, not a single witness has been examined since then, hence, the petitioner be granted the privilege of bail in view of the earlier observation of this Court granting liberty to the petitioner to renew the prayer for bail after six months, as made vide aforesaid order dated 6.8.2019.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the observation made by the coordinate Bench of this Court while rejecting the prayer of the petitioner for grant of regular bail vide aforesaid order dated 6.8.2019, apart from considering the period of incarceration of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIIrd, Motihari in connection with S.T. No. 320 of 2019 arising out of Rajepur P.S.Case No. 199 of 2018.

(Mohit Kumar Shah, J)

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