

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69711 of 2019**

Arising Out of PS. Case No.-276 Year-2019 Thana- MAJHAULIA District- West Champaran

DILEEP SAHNI Son of Nagina Sahni Resident of Village - Majharia Colony,
P.S.- Bairiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

6 08-07-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 10.06.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 489(A)(B)(C), 419, 420 and 414/34 of the IPC.

The prosecution case, as per the self statement of Krishna Murari Gupta, S.I.-cum-S.H.O., Majhauriya Police Station, recorded on 09.06.2019 at 9 A.M. is to the effect that on the same day at about 5 A.M., the informant received a confidential information that one person, who deals with fake currency notes is carrying fake currency notes. Consequently,



raid was laid and the petitioner was intercepted and from the dicky of his scooty, fake currency note of Rs. 10,000/- were recovered.

It is submitted by learned counsel for the petitioner that the investigation has already been concluded. There is nothing on record to suggest that the petitioner was using the fake currency note, hence the case does not come within the purview of Section 489(C) of the IPC. A statement has been made in paragraph no.3 of the petition that the petitioner is accused in two other cases. Moreover, in the present situation, created due to pandemic, Covid-19, since the court proceedings are not functional in physical mode, there is no likelihood of trial being concluded in near future.

Learned APP submits that fake Indian currency note has been recovered from the petitioner.

Considering the fact that investigation has already been concluded and since the proceeding of physical court is functional due to present pandemic, Covid-19, there is no likelihood of trial being concluded in near future, 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 Chief Judicial



Magistrate, Bettiah (West Champaran) in connection with Majhauriya P.S. Case No. 276 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 after taking a report from the concerned police station that the petitioner is not indulged in criminal activities, particularly in similar nature of offence, 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 learned Chief Judicial Magistrate, Bettiah (West Champaran) in connection with Majhauriya P.S. Case No. 276 of 2019.

The learned Court below will 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.

The learned Court below will further be at liberty to



cancel the bail bonds of the petitioner if he defaults for three consecutive occasions during trial or gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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