

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13359 of 2021**

Arising Out of PS. Case No.-91 Year-2019 Thana- THAKURGANJ District- Kishanganj

SILIP MAHTO SON OF LATE MANIK MAHTO Resident of Roll Bagh,
P.S. and Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 23-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Thakurganj
P.S. Case No.91/2019, registered for the offence punishable
under Sections 489-A, 489-B and 489-C/34 of the IPC.

The prosecution case in short is that three persons have
been apprehended by the police for the offence of possessing,
carrying, dealing in fake currency. It is alleged that fake
currency has been recovered from them.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No offence as alleged has ever taken
place. He has been falsely implicated in this case for undue
advantage due to previous enmity and local politics. The



allegation made in the FIR is false, frivolous and out of truth. He is not named in the FIR nor apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the persons arrested on the spot. There is no one who rebutted even a single whisper against him. It is further submitted that charge has been framed against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 17.09.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, in connection with Thakurganj P.S. Case No.91 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will



inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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