

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14743 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- PALASI District- Araria

MAHENDRA YADAV S/O Budh Narayan Yadav Resident of Village -
Kankhudiya, P.S. - Palasi, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-08-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the

learned APP for the State who has assisted the Court with

reference to the case diary.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Palasi PS Case No. 330 of

2020, registered under Sections 489(B), 489(C)/34 of the Indian

Penal Code.

There is alleged recovery of four fake currency notes



of Rs. 500/- from the Kirana shop of the petitioner.

Learned counsel for the petitioner submits that the petitioner had no knowledge that the said notes are fake currency. Till date forensic report regarding fake currency notes has not been received. petitioner's implication is on suspicion. The alleged currency notes if at all fake, have been received by the petitioner, in the ordinary course of business oblivious of the fact that the same is fake. In such circumstance, no allegation can be made out against the petitioner. He is accused in one case under the Excise Act since before in which he is on bail. Petitioner is in custody since 24.11.2020.

Learned APP has opposed the prayer for bail. It is submitted that the currency notes has been recovered from the petitioner's shop.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st A.C.J.M., Araria, in Palasi PS Case No. 330 of 2020, subject to the



following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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