

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27954 of 2020

Arising Out of PS. Case No.-638 Year-2018 Thana- SUPAUL District- Supaul

Chhotu Miyan @ Md. Naim @ Md. Chhotu, S/o Late Md. Tahir Miyan @
Md. Tahir, Resident of Village-Barail Millik, Ward No.07, Police Station and
District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-02-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office,
within four weeks of starting of the Court proceeding in
physical mode.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Supaul P.S. Case No. 638 of 2018, registered under
Sections 489(A) and 498(B)/34 of the Indian Penal Code.

The accusation is that in the evening of 05.11.2018,
Santosh Mukhiya of village- Baruari, Banti Jha of village-
Baruari, Chotu Miyan (petitioner) of village Brail Millki and
Makdeo Yadav of village Barail Millki came at the grocery shop



of informant, Binod Pasi, and purchased grocery and paid three notes of hundred denomination. Thereafter, they took two packets of cigarette from the shop of Arbind Pasi and paid one note of hundred denomination and they also took breakfast from the shop of Hira Mandal and paid two notes of hundred denomination. At that time, they took tea and betel from the shop of Devendra Mahto and paid one note of hundred denomination and thereafter, they gave one note of hundred denomination to Pankaj Thakur for saving. Thereafter, they purchased chicken from the shop of Kari Mukhiya and paid four notes of of hundred denomination. On next day in the morning, informant came at his shop then found that three notes of hundred denomination, as given by the petitioner and two others, were found fake.

Learned counsel for the petitioner submits that while it would appear from the FIR that petitioner and three others each handed over the notes of hundred denomination for purchasing the grocery and other materials but he has falsely been implicated in the present case, saying that petitioner and three others handed over the fake notes of hundred denomination to the informant and others on the next day in the morning. Further submission is that petitioner, who is laborer,



has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 638 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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