

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9123 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- PALASI District- Araria

NOOR ALAM SON OF NAIYER ALAM R/O VILLAGE- KHORAGACHH,
KALU CHOWK, WARD NO. 03, P.S.- SIKTY, DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-07-2021

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.

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. 305 of 2020 registered under Sections 489(B) and 489(C) and 34 of the IPC.

2200 rupees in counterfeit currency was allegedly recovered from the petitioner by some local person near bangle shop of one Mujib.

The petitioner having no criminal antecedent, as per statement in the bail application, is in custody since 8.10.2020. Submission is that being a poor labourer he had received the currency from one Muntazir as payment for the work rendered by the petitioner. Intimation in this respect was given to the police recording the FIR at the time of arrest of the petitioner. He is now in custody since 8.10.2020. Charge sheet, in so far as the petitioner is



concerned, has already been submitted.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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 ACJM I Araria in Palasi PS Case No. 305 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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