

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10794 of 2022

Arising Out of PS. Case No.-211 Year-2019 Thana- KARJA District- Muzaffarpur

RAMAYAN SAH S/o Fulena Sah R/o Village Gujarauliya, P.S. - Malahi,
Dist. East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar No.2, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-12-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 489, 489A, 489B and 489C of the Indian Penal Code.

As per the prosecution case, counterfeit notes to the tune of Rs.11,000/ was recovered from the possession of the petitioner.

The earlier prayer for bail of the petitioner was rejected vide order dated 5.12.2019 passed in Cr. Misc. no 79663 of 2019 and order dated 20.1.2021 passed in Cr. Misc. no.29976 of 2020.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. At best, a case under section 489C may be made out against the



petitioner, which is bailable. In spite of being in custody since 10.8.2019, there is no progress in the learned trial court and no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

From the contents of the report received as contained in letter dated 16.7.2022 of the learned 11th Additional Sessions Judge, Muzaffarpur, it transpires that charge was framed on 25.4.2022 and thereafter the prosecution has not been able to produce any witness on 27.5.2022 and 24.6.2022.

Heard learned A.P.P. for the State.

Taking into consideration the submission made on behalf of the petitioner and specially the petitioner having remained in custody for more than 3 years since 10.8.2019, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.199 of 2021 (Karja P.S. Case no.211 of 2019) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 11th Additional District Judge, Muzaffarpur.

It is further directed that the petitioner shall remain properly represented on each date of the trial and shall cooperate in the trial. In case the learned trial court is of the opinion that



the petitioner is not cooperating in the trial, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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