

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12145 of 2022**

Arising Out of PS. Case No.-250 Year-2021 Thana- AMAS District- Gaya

AVINASH KUMAR Son of Sri Shyamdeo Singh Resident of Village-Chhotki
Chilmi, P.S.- Amas, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 19-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Amas
P.S. Case No. 250 of 2021 registered for the offence under
Sections 489(a), 489(b), 489(c) and 34 of the Indian Penal
Code.

Learned counsel for the petitioner is directed to
correct the custody period of the petitioner, during course of the
day.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.09.2021.

The allegation against the petitioner is to have in



possession of counterfeit currency of Rs. 7,600/-, alleged to be recovered from the bag, possessed by the petitioner.

Learned counsel appearing on behalf of the petitioner submitted that charge-sheet has been submitted in this case, without obtaining FSL report. It is also submitted that nothing surfaced during course of the investigation, which may connect the petitioner with the alleged recovery of the bag. It has further been submitted that petitioner is a man of clean antecedent and there is no compliance of mandatory provision of Section 100 of Cr.P.C., while preparing seizure list.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that FSL report is still awaiting.

Considering the facts and circumstances as mentioned above, as charge-sheet has been submitted against the petitioner without obtaining FSL report with regard to counterfeit currency coupled with the fact that seizure list is disputed, let the petitioner, above named, is directed to be released on bail in connection with Amas P.S. Case No.250 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ XII, Gaya, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Shyamdeo Singh, who is the father of the petitioner and deponent of the present bail petition.”

The physical presence of I/O before this court is dispensed with.

(Chandra Shekhar Jha, J)

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