

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13084 of 2022

Arising Out of PS. Case No.-712 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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Nitesh Kumar Chaudhary Son Of Krishna Chaudhary Resident Of Village -
Bankat, P.S.- Muffasil, Distt.- East Champaran At Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 489(A), 489(B), 489(C) 120(B), 420/34 of the

Indian Penal Code.

The prosecution case as per F.I.R is that the

informant being S.I. of Motihari Town P.S. has received

a secret information that two persons are standing near

a Gumti at Kachahari Chowk, who have possessed

counterfeit currency notes and they are indulged in the



work of notes doubling and they used to cheat the people. Accordingly, on chase, one person was apprehended and others managed to flee away. The apprehended accused persons disclosed his name as Raj Kumar Rai and he disclosed the name of the petitioner as his associate who fled away from the place of seizure. In presence of witnesses, 26 pieces of counterfeit currency notes of Rs. 500/- was recovered from the possession of the apprehended accused.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired in this case only on the basis of confessional statement of apprehended accused, which has no evidentiary value in the eyes of law. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let



the petitioner, above named, in the event of his arrest or
surrender before the Court below within a period of four
weeks from today, be released on anticipatory bail on
furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, East
Champaran, Motihari in connection with Motihari P.S.
Case No. 712 of 2021, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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