

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71020 of 2021**

Arising Out of PS. Case No.-338 Year-2021 Thana- SHEKHPURA District- Sheikhpura

SANJEEV KUMAR @ AJEET KUMAR, Son of Mahendra Prasad Resident
of Village - Mahadevbigha, P.S. and District - Nawada at present residing at
Mohalla - Bangaliper, P.S. and District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 3567 of 2022

Arising Out of PS. Case No.-338 Year-2021 Thana- SHEKHPURA District- Sheikhpura

PRABHU KUMAR, Son of Karu Mahto Resident of Village - Dobadih, P.s.-
Sheikhopur Sarai, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19108 of 2022

Arising Out of PS. Case No.-338 Year-2021 Thana- SHEKHPURA District- Sheikhpura

DHIRENDRA KUMAR SON OF MAHADEV PRASAD RESIDENT OF
VILLAGE- KAMAL BIGHA, P.S.- KATRISARAI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71020 of 2021)

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Ashok Kumar

(In CRIMINAL MISCELLANEOUS No. 3567 of 2022)

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 19108 of 2022)

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Nand Kishore Prasad



CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 05-12-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioners seek bail in connection with
Sheikhpura P.S. Case No. 338 of 2021, registered for the
offences punishable under Sections 489(A), 489(B) and
489(E) of the Indian Penal Code.

The prosecution story as emerging from the F.I.R.
is that one Saba Parveen deposited some currency notes in
the Bank of Baroda, VIP Road, Sheikhpura, out of which
total 42 notes, each of Rs. 500/-, were found to be forged.

The learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been implicated
in this case. He further submits that petitioners are neither
named in the FIR nor any incriminating material has been
recovered from them. The case of the State is based only on
the basis of so called confessional statement of the co-
accused before the police which has no evidentiary value. He
further submits that investigation in this case is complete
and charge-sheet has already been submitted. He also



submits that one of the other co-accused, namely, Chandan Kumar has already been granted bail by a different Bench of this Court vide order dated 05.07.2022, passed in Cr. Misc. No. 59306 of 2021.

It is also stated in paragraph no. 2 of the Cr. Misc. No. 71020 of 2021 and Cr. Misc. No. 3567 of 2022 that the petitioners have not moved before this Hon'ble Court for grant of anticipatory or regular bail. However, it has been stated in paragraph 2 of Cr. Misc. No. 19108 of 2022 that the petitioner has earlier moved before this Hon'ble Court for grant of anticipatory bail *vide* Cr. Misc. No. 53354 of 2021.

It has further been stated in paragraph 3 of the petitions that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail submitting that they have confessed before the police that they were involved in the illegal trade of counterfeit currency.

Considering the aforesaid facts and circumstanced, the petitioners, above-named, are directed to be released on



bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in connection with Sheikhpura P.S. Case No. 338 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bonds of the



petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bonds of the petitioners.

The applications stand allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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