

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24040 of 2022**

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

=====

Raj Kumar Rai, S/o Bigu Rai @ Bigu Ray, Resident of Village- Bhitahan,  
P.S.- Motihari Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Jagdhara Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

ORAL ORDER

2      08-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Motihari Town P.S. Case No. 712 of 2021 registered for the alleged offences under Sections 489(A), 489(B), 489(C), 120(b), 420 and 34 of the Indian Penal Code.

As per prosecution case, from the possession of this petitioner, 26 pieces of counterfeit currency notes of Rs. 500/- each were recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his



conscious possession as the alleged recovery was made from an abandoned place and the petitioner was apprehended on the basis of suspicion whereas he was merely a passerby. Learned counsel further submits that the search and seizure was not made in accordance with law and violates Section 100(4) and(6) of Cr.P.C. There is no independent witness to this search and seizure. The petitioner is in custody since 10.12.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that it is a case of possession of counterfeit currency.

Having regard to the submissions made hereinabove and considering the recovery of counterfeit currency notes from the possession of this petitioner and ramification of use of counterfeit currency notes on the economy of the State, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within a period of nine months.

**(Arun Kumar Jha, J)**

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