

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29292 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- RAXAUL District- East Champaran

Chandra Bhushan Gupta Son of Late Krishndev Prasad R/O Village- Basatpur
Pakri, Ward No.-2, Post- Basatpur, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-09-2022 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 Raxaul
P.S. Case No. 113 of 2022 registered for the offence under
Sections 489(A), 489(B) and 489(C) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.03.2022.

The allegation against the petitioner is to have in
possession of counterfeit currency of Rs.40,500/-, total of 93
fake currency of 500 notes.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated in present



case while returning in India after attending marriage ceremony in Nepal. It is also submitted that the entire seizure list is supported by SSB officers and not by independent witnesses. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list appears to be doubtful, being not supported by independent witnesses coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Raxaul P.S. Case No. 113 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, Motihari, East Champaran/concerned court, subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the



petitioner.

(ii) 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.

(iii) That one of the bailors shall be Manoj Kumar, who is the younger brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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