

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42873 of 2021

Arising Out of PS. Case No.-442 Year-2015 Thana- MAJHAULIA District- West Champaran

Noor Alam @ Jhunna, Son Of Sheikh Kawal @ Sheikh Ekbal R/O Village-
Telhua, Sheikh Toli, P.S.- Nautan, District- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 489-A, 489-B, 489-C of the
Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 08.03.2019, charges have been
framed and has antecedent of three cases.

The learned counsel for the petitioner submits that the
informant alleges that on the basis of confidential information,
accused Gulenur was caught with ten lacs counterfeit currency
notes at Bakharia Chowk and on query, she disclosed that
petitioner is the person, who used to manage for its carriage.

The learned counsel for the petitioner has raised a



very short submission and submits that admittedly, from the F.I.R., the alleged counterfeit notes was recovered from Gulenur and it was Gulenur, who disclosed the name of this petitioner as the person, who was the main kingpin of the trade.

The learned counsel submits that Gulenur has been acquitted by a judgment dated 29.11.2018 in Sessions Trial No.96 of 2016. It is thus submitted that since the person from whose possession the alleged counterfeit is said to have been recovered, has been acquitted by the learned Court below, as such, the case of the petitioner is on a much better footing as nothing was recovered from his possession and his name came based on the statement of Gulenur.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charges have been framed, the petitioner and co-accused Gulenur has been acquitted as aforesaid, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Majhulia P. S. Case No.442 of 2015, subject to condition that



one of the bailors shall be the father of the petitioner namely, Sheikh Kawal @ Sheikh Ekbal. Further, if the petitioner does not appear in the trial on two consecutive dates, the learned Court below shall forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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