

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64262 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- KURSAILA District- Katihar

Rajesh Kumar Son of Late Chhanguri Mandal Resident of Village - Ajgewa,
P.S.- Chausa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-06-2022 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 Kursela
P.S. Case No. 74 of 2021 registered for the offence under
Sections 420, 489A, 489B, 489C and 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.06.2021.

The allegation against the petitioner is to have in
possession of Rs.6,600/- counterfeit currency.

Learned counsel appearing on behalf of the petitioner
submitted that from bare perusal of the F.I.R., it appears that
petitioner was standing near Kursela Chowk when other co-



accused, namely, Mantu Kumar came and handover the currency, which suggest the fact that it was not in the knowledge of the petitioner. It has further been submitted that chargesheet has been submitted without obtaining the forensic laboratory report whether the alleged recovery currency is genuine or counterfeit. While concluding the argument, it has also been submitted that the petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that chargesheet has been submitted without obtaining the forensic laboratory report as regard to the genuineness of the currency alleged to be seized from the possession of the petitioner.

Considering the facts and circumstances as mentioned above, as chargesheet has been submitted without obtaining the forensic laboratory report as regard to the genuineness of the currency coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Kursela P.S. Case No. 74 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Katihar, subject to the following conditions:



“(i) 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.

(ii) That one of the bailors shall be Savita Devi, who is the mother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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