

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54983 of 2022**

Arising Out of PS. Case No.-531 Year-2022 Thana- MUFFASIL District- West Champaran

Mukesh Pandey S/o Late Lakhmir Pandey Resident of Village- Khairatiya,
P.S.- Manuapool, Distt- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks.

Heard learned counsel for the petitioner and Mr. Brajendra Nath Pandey, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Bettiah (Muffasil) Manuapool P.S. Case No.531/2022 registered for the offences punishable under Sections 406, 420, 467, 468 and 472/34 of the Indian Penal Code. He is in custody since 04.07.2022. He has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 03.07.2022 at 2.30 PM the informant on secret information raided the house of one Satyendra Pandey



from where fake currency and gold were recovered. It is alleged that the co-accused Satyendra Pandey and Mukesh Pandey (petitioner) were apprehended at the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that though the petitioner has been arrested from the said place but there is no recovery from his possession. It is submitted that the petitioner is in custody since 04.07.2022 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the alleged raid was conducted in the house of co-accused Satyendra Pandey from where the fake currency and gold were recovered, so far as this petitioner is concerned, he has been arrested from the said place but there is no recovery from his possession, he has no criminal antecedent and has remained in custody since 04.07.2022, investigation against him is complete and his presence may be secured in course of trial, there being no submission on behalf of the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, this Court



directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah (West Champaran) in connection with Bettiah (Muffasil) Manuapool P.S. Case No.531/2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

