

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69514 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

Vikash @ Vikash Kumar @ Vikash Kumar Roy, S/O Dilip Kumar @ Dilip
Kumar Ray, R/o village- Sankh Mohan Patalia, P.S.- Bibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-09-2022 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 Cheriabariyarpur P.S. Case No. 186 of 2020
registered for the alleged offences under Sections
489(B)/489(C)/34 of the Indian Penal Code.

As per prosecution case, police party saw three youths
in suspicious condition who started running away on seeing the
police. Two of them were apprehended after chase and one
person escaped from the spot. From search of the apprehended
persons counterfeit currency notes were recovered. These co-



accused persons disclosed the name of the petitioner who escaped from the spot and who had been supplying the counterfeit notes to them.

The learned counsel for the petitioner submits that the petitioner has not been apprehended from the spot and nothing incriminating has been recovered from his conscious possession. He had been made accused only on suspicion on the basis of disclosure of co-accused persons. Even during the course of investigation nothing came up on record to show that the petitioner was involved in dealing with counterfeit currency notes in any manner. The co-accused have named the petitioner due to their grudge against him. The co-accused who was apprehended from the spot with counterfeit currency notes has been granted bail by a Co-ordinate Bench of this Court vide order dated 29.07.2021 passed in Cr. Misc. No. 26407 of 2021. The petitioner is in custody since 31.07.2021 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner made good his escape from the spot and has been involved in dealing with the counterfeit currency notes.

Perused the records.

Having regard to the submissions made hereinabove



and considering the fact that no recovery has been shown from the petitioner and further considering his period of custody and the submission of charge-sheet along with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief judicial Magistrate, Manjhaul, Begusarain connection with Cheriabariyarpur P.S. Case No. 186 of 2020, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be Dilip Kumar Ray, father of the petitioner, who has sworn the affidavit in this case.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

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

