

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72477 of 2021

Arising Out of PS. Case No.-544 Year-2021 Thana- NATHNAGAR District- Bhagalpur

Dilip Malakar Son of Umesh Malakar Resident of Village- Gonarchak, P.S.-
Parbatta, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Vijay Anand, Adv.
For the Opposite Party/s	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nathnagar P.S. Case No. 544 of 2021 lodged under Sections
489A/ 489B/ 489C/ 420/ 34 of the I.P.C.

As per the prosecution case, there were 2 named
accused persons. The allegation against the present petitioner is
that one female with whom the present petitioner was trying to
flee away by motorcycle but recovery of two thousand fake
currency note was made from the possession of the petitioner.

Learned counsel for the petitioner submits that the

present case has been lodged under sections 489A/ 489B/ 489C/ 420/ 34 of the I.P.C. Learned counsel for the petitioner submits that as per the allegation made in the F.I.R., the offence constituted is only the possession of currency notes and not of using the currency notes. Learned counsel for the petitioner further submits that petitioner is a man of clean antecedent and he is in custody since 07.10.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur in connection with Nathnagar P.S. Case No. 544 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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