

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11299 of 2023

Arising Out of PS. Case No.-864 Year-2022 Thana- LAKHISARAI District- Lakhisarai

RAHUL DEV @ RAHUL SINGH Son of Late Gauri Singh R/o Village -
Tayar Mahuli, P.S.- Akbarpur, Dist.- Nawada, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Shankar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 Heard Mr. Akash Shankar, learned counsel for the
petitioner and learned APP for the State.

The petitioner is an accused in connection with
Lakhisarai P.S. Case No. 864 of 2022 registered for the offences
under sections 420, 467, 468, 471, 120(B), 489(A), 489(B),
489(C), 489(D) and 489 (E) of the Indian Penal Code lodged on
24.10.2022 by the informant, Chandan Kumar.

The prosecution story reads as follows:-

a) the informant received the information about the
fake currency transaction by anti social element and lead the
team after informing the Senior officer along with team for
verification to Hotel Akash;

(b) they intercepted the person with red bag in the
hand and a lady bag with a bag who gave their names as Manish



Singh and Madhuri Kumari.

(c) the bags were searched and from the red bag in the hand of a person namely Manish Singh found 100 notes of fake currency of 500 rupees as mentioned in the seizure list and 14 bundle of notes of 500 fake currency each bundle carrying 100 piece and in one bundle he found 97 piece of black paper being used for making fake Indian currency;

(d) after enquiry about the same both the persons accepted the allegation and further took few names including the name of the present petitioner and confessed that all of them are running a group for transaction of fake Indian currency;

(e) both the person in police custody told them that they will help police in investigation and arresting some of them;

(f) the informant thereafter went to Nawada district after informing the senior police officer and arrested the present petitioner namely Rahul Singh and found out 14 bundle of 100 piece of black paper in Indian currency of 500 rupees note mentioned in the seizure list;

(g) after the informant has also arrested one more person namely Satish Kumar when they were on the way to Nawada railway station;



Accordingly, the FIR.

It has been contended by the learned counsel for the petitioner that he do not have criminal antecedent and two other co-accuseds, namely Manish Singh and Madhuri Kumari were the main culprit and he has been unnecessarily dragged in the case. Further, he has remained in jail since 24.10.2022.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the fake currency has also been recovered from him.

Considering the period of custody 24.10.2022 (as stated in paragraph-14 of the bail application) as also the fact that he do not have criminal antecedent and as submitted he will be diligently appearing in Trial, this Court is inclined to extend him privilege of bail. If however, it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned A.D.J., Lakhisarai in connection with Lakhisarai P.S. Case No. 864 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for till Trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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