

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15663 of 2023

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

Satish Kumar, Son of Naresh Singh, Resident of Village - Nonai (Nunay),
P.S.- Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 467, 468, 471, 120(B), 489(A), 489(B), 489(C), 489(D), 489(E) of the Indian Penal Code.

As per prosecution case, it is alleged that on secret information the informant conducted raid in Akash Hotel and caught Manish Singh and Madhuri Kumari red handed with counterfeited currency notes. On query, they told the name of other accused persons including the name of the petitioner as their associates. Recovery of fifteen packets of denomination of Rs. 500 X 100 counterfeited currency notes were recovered from the possession of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to suspicion. Petitioner has no concern with the alleged counterfeited notes rather the same one is planted by the police officials and they have violates the rule of 100 Cr.P.C. while preparing the seizure list as seizure list witnesses are police officials. Petitioner has got no criminal antecedent. It is further submitted that the similarly situated other co-accused has already been granted bail by other co-ordinate Bench of this Court vide order dated 10.05.2023 passed in Cr. Misc. No. 11299 of 2023. Moreover, the petitioner is languishing in judicial custody since 24.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Lakhisarai P.S. Case No. 864 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai,



subject to the following conditions:-

(i) One of the bailor should be the family member of the petitioner who shall provide official documents 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 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 evidence, 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.

(Sunil Kumar Panwar, J)

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