

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23717 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- BHAIKAVSHTHAN District- Madhubani

PREM KUMAR KAMTI S/O DHURUV KAMTI Resident of Village- Atari
Ward No.- 06, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-06-2023 Heard the parties.

The petitioner is in judicial custody in connection with Bhairab Asthan P.S. Case No. 18 of 2022 for the offences under Sections 420, 419, 489(A), 489(B), 489(C) and 489(D)/34 of the Indian Penal Code lodged on 20.01.2022 by the informant, Rupak Kumar Ambuz.

As per the prosecution story, the informant upon secret information by the senior officials about the movement of the smugglers with counterfeit currency intercepted an auto from where the petitioner herein was apprehended and it is alleged that from him Rs. 13,00,100/- of counterfeit currency was recovered. He subsequently gave the name of the accused persons, who escaped from the place of occurrence. Accordingly, the FIR was lodged after preparation of seizure



list.

Earlier prayer for bail of the petitioner was rejected vide order dated 22.09.2022 passed in Cr. Misc. No. 36613 of 2022.

A report was called for on 12.04.2023.

As per the letter no. 118 dated 04.05.2023 by the Court, cognizance has been taken in the matter and record has been committed to the Sessions Court for further proceeding.

Considering the aforesaid fact as also the that the petitioner is in custody since 20.01.2022 (as stated in paragraph- 13 of the bail application), this Court is inclined to grant him privilege of bail.

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 Learned Additional Chief Judicial Magistrate -I, Jhanjharpur in connection with Bhairab Asthan P.S. Case No. 18 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/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark 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.

(Rajiv Roy, J)

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