

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20749 of 2022**

Arising Out of PS. Case No.-758 Year-2021 Thana- BARACHATTI District- Gaya

SARBAN KUMAR @ SHARVAN KUMAR VERMA SON OF DHANRAJ
MAHTO R/O VILLAGE- KUMBHIYATARI, P.S.- FATEHPUR AND
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 04-01-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Barachatti P.S. Case No. 758 of 2021 registered for the offence
under Sections 420, 467 and 468 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.11.2021.

The allegation against the petitioner is to cheat by
using fabricated currency note of Rs. 2,000/- total 40 pieces.

Learned counsel appearing on behalf of the petitioner
submitted that from bare perusal of FIR, it cannot be said that



the petitioner was indulged in any act of cheating, as ingredient of inducement is not available on the face of allegation. It is also pointed out that nothing incriminating surfaced, during course of investigation, which may suggest that alleged currency note was manufactured by this petitioner by adopting forged means. While travelling over the argument, it is submitted that case on its face suggesting allegation as per provisions laid down under Section 489(c) of the IPC, which is bailable in nature. It is also submitted that seizure list is appearing doubtful, as same is not supported by independent witness, rather supported by police personnels. It is also submitted that petitioner found involved in one more criminal case of different nature, where, he is on bail. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the face of FIR negate inducement coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in



connection with Barachatti P.S. Case No. 758 of 2021 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate, Sherghati,
Gaya/concerned court, subject to the condition as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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