

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24360 of 2023**

Arising Out of PS. Case No.-521 Year-2022 Thana- KISHANGANJ District- Kishanganj

PAPPU KUMAR S/O LATE LAKSHMESHVAR SAH R/O Noonfara, P.S-  
Pear, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      28-08-2023                      Heard learned counsel for the petitioner and A.P.P. for  
the State.

The petitioner seeks bail in connection with Kishanganj P.S. Case No. 521 of 2022 registered for the offence under Sections 149, 420 and 489(D) and 120(B) of the Indian Penal Code.

The petitioner is alleged to have been apprehended by the police having possession of two notes of five hundred and ten bundles of white paper and also four notes of two hundred rupees from the bag of the petitioner along with a motorcycle.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that on bare perusal of the F.I.R., it appears that two notes of five hundred and ten bundles of white



paper and also four notes of two hundred rupees from the bag of the petitioner along with a motorcycle. He further submits that the petitioner has been apprehended in this case merely on the basis of suspicion. He further submits that the alleged recovery of denominations have been sent to the SBI, main branch, Kishanganj for their verification and after due verification the concerned Bank has submitted its report dated 17.02.2023 to the SHO, Kishanganj, Town Police station stating therein that the denomination in question have been verified through NSM machine and found to be in order and genuine. He further submits that in view of the report of the SBI, main branch, Kishanganj, no case is made out against the petitioner. The petitioner is rotting in judicial custody since 27.12.2022.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Kishanganj in connection with Kishanganj P.S. Case No. 521 of 2022/ S.T. No. 70 of 2023 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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