

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33328 of 2023

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

Chandra Shekhar Singh Son of Gopal Jee Singh Resident of village - Kadma,
ward no. 8, P.S. - Rajepur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-07-2023

Heard the parties.

The petitioner is in custody since 27.12.2022 in connection with Kishanganj P.S. Case No. 521 of 2022 for the offence punishable under Sections 419, 420, 489 (D) 120 (B) of the I.P.C. lodged on 26.12.2022 by the informant, Shushma Devi.

The prosecution story, in short is that on the basis of secret information about trading of counterfeit currencies, a police team at Rampur Check Post situated at N.H. 27 started to check vehicles. They found one Hero HF Delux coming from Dalkola. After seeing the Police they tried to escape. The Police team chased them and caught two persons riding on the motorcycles. The persons so caught revealed their name as Pappu Kumar and Chandrashekhar Singh (petitioner). During



the search of black coloured bag handed by co-accused Pappu Kumar, (i) a bundle of 500 notes in which two original notes of rupees of 500 were found in the upper part of the bundle and one original note was found at the bottom of the bundle and between them 1000 blank papers equivalent the size of 500 rupees was found, (ii) a bundle of 200 notes in which in which two original notes of rupees of 200 were found in the upper part of the bundle and one original note was found at the bottom of the bundle and between them 100 blank papers equivalent the size of 200 rupees was found, (iii) Black coloured Hero Honda motorcycle bearing registration no. of BR 06 BJ 9915, (iv) one Sumsung mobile having model no. SM-8315E from Pappu Kumar, (v) One Vivo Mobile from the petitioner, was recovered. list was prepared before the witnesses present. Thereafter, A seizure list was prepared before the witnesses present, and F.I.R lodged.

It has been submitted by learned counsel for the petitioner that the main allegation is against Pappu Kumar from whose pocket the notes blank paper and all other materials were recovered/seized.

So far as the petitioner is concerned, he was only driving the motorcycle and had no knowledge about the



presence of counterfeit notes in the pocket which was being carried by Pappu Kumar he further submits that he do not have criminal antecedent

Learned APP opposes the prayer stating that there is recovery of counterfeit notes from his associates Pappu Kumar.

Taking into account the fact that from the petitioner there is only recovery of mobile phone which according to the petitioner, the same belonged to him, the main allegation of recovery and seizure from Pappu Kumar and is in custody since 27.12.2022 (as stated in Para 12 of the bail application), this Court is inclined to extend him the privilege of bail with conditions.

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 Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 521 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 fortnight for next six months 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/jyoti/-

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