

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43156 of 2023

Arising Out of PS. Case No.-110 Year-2021 Thana- GORIAKOTHI District- Siwan

Rajeet Kumar @ Ranjeet Mahto @ Ranjeet Kumar Mahto, son of Bigan Mahto, Village- Tara Pipra Ps- Goriakothi Dist- siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Goriakothi P.S. Case No. 110 of 2021 registered on 24.06.2021 for the alleged offences under Sections 489(A), 489(B), 489© and 489(D) of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. This is the second attempt of the petitioner to seek bail from this Court. Earlier his prayer for bail was rejected by this Court vide order dated 17.10.2022 passed in Cr. Misc. No. 66684 of 2021 with liberty to the petitioner to renew his prayer for bail, if the trial was not concluded within a period of six months.

4. As per prosecution case, police received secret information about the petitioner and other co-accused persons



for being involved in printing and trading of counterfeit currency notes. A raid was conducted at the house of co-accused Banti Kumar and petitioner along with other co-accused persons were apprehended. From this petitioner, three mobile phones were recovered. Further, from the search of the house of the petitioner counterfeit currency notes of different denomination amounting to Rs. 97,350/- were recovered. From the house of co-accused Banti Kumar further recovery of a printer along with a large number of semi prepared counterfeit currency notes of denomination of Rs. 2,000/-, Rs. 200/- and Rs. 100 total amounting to Rs. 3,15,750 along with a country made pistol and live cartridge were made. Similarly, from the house of co-accused Suresh Kumar recovery of counterfeit currency notes of different denomination amounting to Rs. 2,05,000/- was made.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that earlier the prayer for bail of this petitioner was rejected by this Court vide order dated 17.10.2022 passed in Cr. Misc. No. 66684 of 2021. While rejecting the bail of the petitioner took into account the undertaking given by the learned trial court that the trial was likely to be concluded within a period of six to nine months and



this Court was also directed the learned trial court to conclude the trial within a period of six months and granted liberty to this petitioner if the trial was not concluded within the stipulated period, the petitioner might renew his prayer for bail. Learned counsel further submits that after framing of charge on 28.09.2022, none of the prosecution witnesses has been examined. There are nine charge-sheet witnesses and it is obvious that trial would not be concluded in near future. Learned counsel further submits that there has been no recovery of any fake currency notes from the house of the petitioner which is a joint house. Moreover, the notes said to be fake currency notes are rather the notes used for playing game. Similarly situated co-accused, namely, Sandeep Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.05.2022 passed in Cr. Misc. No. 69680 of 2021. The petitioner is in custody since 24.06.2021 and is having clean antecedent.

6. Learned APP opposes the prayer for bail submitting that recovery of counterfeit currency notes were made from the house of the petitioner.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioner along with his clean antecedent and also considering the fact that there appears no chance of early conclusion of trial before the learned trial court, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Siwan/concerned court in connection with Goriakothi P.S. Case No. 110 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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