

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46008 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- SHERGHATI District- Gaya

MD. MAJID ANSARI @ CHHOTU ALAM Son of Abdul Latif Ansari R/v-
Kothwara, P.S- Dobhi District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 21-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sherghati (Dobhi) P. S. Case No. 256 of 2022 registered for the offences punishable under Sections 420, 489(b), 489(c)/34 of the Indian Penal Code.

As per the prosecution, the informant apprehended this petitioner from whose possession fake Indian currency amounting to Rs. 20,200/- was recovered

The main submissions advanced by the learned



counsel Mr. Shivendra Prasad for the petitioner are that the investigation has been completed in connection with the alleged occurrence and chargesheet has been submitted under sections 420 and 489(c)/34 of the Indian Penal Code against the petitioner and the offence of section 420 of the Indian Penal Code is not made out in this case as the main ingredients necessary to constitute this offence are missing in the light of the allegations of the FIR and petitioner has been accused in an other criminal case bearing Sherghati (Dobhi) P.S. Case No. 236 of 2012 but he has been acquitted in the said case and and he has been languishing in jail since 26.03.2022 in the present case having fair and clean antecedent. Further submission is that the main alleged offence punishable under section 489(c) of Indian Penal Code is a bailable offence.

Learned APP Mr. Nitya Nand Tiwary appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and also the fact that the main alleged offence under section 489(c) of the Indian Penal Code for which the petitioner has been chargesheeted is a bailable offence and the petitioner has been languishing in jail since 26.03.2022, this court is inclined to accept his bail prayer. Accordingly, let the 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 the concerned Court in connection with Sherghati (Dobhi) P. S. Case No. 256 of 2022.

(Shailendra Singh, J)

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