

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51848 of 2022

Arising Out of PS. Case No.-595 Year-2016 Thana- ARA NAWADA District- Bhojpur

KALICHARAN YADAV SON OF LATE WAKIL RAY R/O VILLAGE-
GAUS GANJ, GANGI, P.S.- ARA NAGAR, DIST.- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Ara Nawada P.S. Case No. 595 of 2016 for the offence registered under Sections 489(B)(C) and 120(B) of the Indian Penal Code.

As per the FIR, one Manoj Kumar went to the Bank and submitted slip for deposit of Rs. 49,000/- and the cashier detected that out 98 notes of Rs. 500/- denomination, 25 notes were fake. When the cashier tried to stop him, he slipped away. Accordingly, the FIR was lodged.

Subsequently, during investigation wife of the Manoj Kumar stated that this amount was given by the petitioner herein and as such, he also came into police net, necessitating this



present petition.

Learned counsel for the petitioner submits that though there was money transaction between the petitioner and the Manoj Kumar, he having invested in this transport business. It is not the case of the police that the amount that he had given to the said Manoj Kumar was the same notes that were deposited in the bank and the main accused, Manoj Kumar and his wife after being caught by the cashier are trying to pass on the responsibility on this petitioner. He accordingly submit that in the aforesaid background, he deserves bail.

Learned APP for the State, on the other hand, opposes the prayer stating that the amount that the petitioner gave was taken by the Manoj Kumar to deposit in the bank in which 25 notes were fake.

This Court finds force in the submission put forward by the learned counsel for the petitioner that only after the enquiry, it can be ascertained whether the amount that was given by Manoj Kumar was the actual notes that he took to the bank to deposit. His name has further come in the statement of the wife of the accused, Manoj Kumar.

In the aforesaid background, this Court would like to extend the relief of anticipatory bail to him subject to condition



that the petitioner shall be visiting the concerned police station for next six months every fortnight.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 595 of 2016 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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