

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54020 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- KOTWALI District- Munger

Naresh Kumar @ Naresh Kumar Saw S/O Late Lakhan Sah R/O Village-
Kajra Bazar, P.S- Kajra, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Kotwali P.S. Case No.209 of 2023 instituted under Sections 420, 406, 467, 468, 471, 34 of the IPC lodged on 19.05.2023 by the informant Pappan Kumar.

As per the prosecution story, the allegation is that the police raided Shubham Hotel and from one of its room, apprehended accused persons with notes of different denomination (Rs.500,Rs.200,Rs.100) with plywood in between as the size of the currency tied with rubber. The accused confessed to have cheat the people by assuring them of doubling their notes. Accordingly, the FIR.

It is the case of the petitioner that no one has come forward to allege such cheating, the police has made a story, this led to his judicial custody since 20.05.2023 (para-12 of the



petition) and further similar situate Dinesh Kumar Sah has been granted bail by a coordinate bench in Cr. Misc. No. 44072 of 2023.

Let the same be kept on record.

Learned APP opposes the prayer for bail stating that they cheat the innocent people.

Though there is force in the submission of learned APP, since the allegation does not show that any person has been cheated, the recovery is from hotel, has remained in custody since 20.05.2023, one of the co-accused, as stated above, has been granted bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No.209 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Munger, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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