

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62077 of 2022

Arising Out of PS. Case No.-352 Year-2022 Thana- NAANPUR District- Sitamarhi

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Washir Mian @ Wasir Mian @ Wasir Miya @ Bashir Mia @ Md. Basir Md.
Safayat R/o Ward no. 7, Village- Simra, P.S.- Dumra, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nanpur
P.S. Case No. 352 of 2022 registered for the offence under
Sections 414, 419, 420, 467, 468, 471, 489 (b)(c)(e) of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.08.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycle and also of counterfeit currency
having value of Rs. 11,66,750/-, along with other co-accused
persons.



Learned counsel appearing on behalf of the petitioner submitted that admittedly, from the face of FIR the alleged counterfeit currency of Rs. 11,66,750/- was recovered from the pillion rider co-accused, namely, Md. Niyaj, who taken lift from the petitioner, for a local destination, which was given in good faith. It is submitted that allegation as regard to stolen motorcycle is appearing false on its face for the reason that registration certificate (RC) of alleged motorcycle is in favour of the son of the petitioner. It is further submitted that confession of the petitioner was obtained subsequent to recovery of alleged counterfeit currency and, therefore, implication is not appearing convincing on its face. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above and by taking note of the fact as recovery of alleged counterfeit currency appears from the possession of co-accused, as per FIR, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been



submitted, let the petitioner, above named, is directed to be released on bail in connection with Nanpur P.S. Case No. 352 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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