

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.223 of 2023

Arising Out of PS. Case No.-421 Year-2022 Thana- JAGDISHPUR District- Bhojpur

MD. SADRUDDIN Son of Md. Kalim R/O Village - Kaura, P.S.- Jagdishpur,
District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Tiwary, Advocate
	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 31-07-2023 Heard learned counsel appearing for the petitioner
and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 26.08.2022 in connection with Jagdishpur P.S. Case No. 421 of 2022, corresponding to G.R.No.4863/2022, F.I.R. dated 25.08.2022 registered for the offence punishable under Sections 489(K), 489(Gh), 420/34 of IPC.

3. As per the prosecution case, the allegation of business of creation of fake currency and flowing it in the market are there against the petitioner and others. The recovery of printed machine for currency note is also made in the seizure.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case. Further submits that from bare perusal of the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the Mango Orchard of Raghunth Chaudhary and the petitioner has no concern at all with the alleged recovery of fake notes and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.08.2022.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the F.S.L.report confirms that the recovered notes are not genuine Indian Bank Notes and all the notes are counterfeit notes but fairly submits that it appears from the FIR that nothing has been recovered from conscious possession of the petitioner and the petitioner was arrested alongwith the co-accused persons.

6. Considering the aforesaid facts, let the petitioner, above named, 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 learned A.C.J.M.-1st Class, Ara at Bhojpur in connection with Jagdishpur P.S. Case No. 421 of



2022, corresponding to G.R.No.4863/2022,with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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