

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12790 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- BIND District- Nalanda

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RAUSHAN KUMAR S/O JAI PRAKASH YADAV R/O VILLAGE-
JAGATNANDANPUR, P.S- RAHUI, DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 419, 420, 489(B), 489(c) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case based on the confessional statement of the apprehended accused in police custody, which does not have any evidentiary value. It is next submitted that the informant who is a police officer alleges that he received information that two young boys in a fair were purchasing goods from fake currency, accordingly, the police reached the place of occurrence and the boys were apprehended, who



disclosed their names as Bipin Kumar and Bajrangi Kumar and from their possession, fake currency as detailed in the F.I.R. was recovered. Further, the said apprehended accused disclosed the name of the petitioner who had given them the fake currency. The learned counsel further submits that apart from the confessional statement of the co-accused in police custody, nothing has transpired during the course of investigation, which could even remotely connect the petitioner with the offence.

4. Learned A.P.P. for the State Mr. Chandra Bhushan Prasad vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the allegation as alleged in the F.I.R is serious in nature and has direct impact on the economy of the country even, though a meager amount of fake currency has been recovered from the apprehended accused but then it is on their disclosure that the name of the petitioner transpired, as such, the petitioner be not given the privilege of anticipatory bail or he will tamper with the evidences, on which, the learned counsel for the petitioner submits that the petitioner will not abscond rather will co-operate in the investigation. It is also submitted that since presently there is nothing on record to connect the petitioner with the offence except for confession, as such, the privilege of anticipatory bail be granted to the



petitioner, keeping his clean antecedent in view.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bind P.S. Case No.132/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioner shall be his father, namely, Jai Prakash Yadav.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner and to take all coercive steps to ensure that the petitioner is behind bar. It is further made clear that in the event if police after investigation submits charge sheet connecting the petitioner



with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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