

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21058 of 2024

Arising Out of PS. Case No.-555 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Sudhir Kumar Kushwaha Son of Late Shiv Shankar Prasad Kushwaha
Resident of vill.-Vishrampur, Chhatwa Tola, P.S.-Kalaiya, Distt.-Bara,
Madhesh Pradesh, Nepal at present Resident of vill.-Harpur, P.S.-Ghorasahan,
Harpur (O.P.), Distt.-East Champaran(as per FIR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.
For the State : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 420, 120B,
468, 471, 489B, 489C/34 of the Indian Penal Code, registered in
connection with Muzaffarpur Town P.S. Case No. 555 of 2022.

3. As per prosecution case, the informant got secret
information that the petitioner who is a Nepali citizen was
involved in selling of fake currency notes and he had entered in
Muzaffarpur. On that information, the police personnel reached



at that place and apprehended the petitioner and on search, there has been recovery of Indian fake currency of 308 notes denominations of 500 (total Rs. 1,54,000/-), the numbers on all the currency notes were same which indicated itself that all the notes were fake. A motorcycle from the possession of the petitioner was also recovered without number plate.

4. The learned counsel for the petitioner has submitted that he has been falsely implicated in this case and has committed no offence. On the basis of suspicion, petitioner has been made accused in this case. No case under Sections-489(a) or 489(c) of the Act is made out. It has further been submitted that due to highhandedness of the police, the petitioner was arrested and was remanded showing false recovery of fake currency notes. It has also been contended that the petitioner was neither selling or buying fake currency notes. Mere possession to sell or to transfer or its trafficking could not be an offence.

5. Learned APP for the State has opposed the prayer of bail and submitted that petitioner is named in the FIR. He submitted that huge numbers of counterfeit notes having same series along with a motorcycle without number plate has been recovered from the possession of the petitioner. He further



submitted that the petitioner is a resident of Nepal and having **two criminal antecedents of similar nature**. During investigation, several witnesses have supported the prosecution case.

6. Considering the above mentioned facts and circumstances of the case as well as the nature of allegation as also petitioner having criminal antecedent of similar nature, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the prayer of bail stands rejected.

(Nawneet Kumar Pandey, J)

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