

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21695 of 2024

Arising Out of PS. Case No.-676 Year-2023 Thana- KUDHNI District- Muzaffarpur

Md. Rizwan @ Md. Rijwan Son of Md. Firoz @ Md. Firoj Resident of
Village - Goraul, Police Station - Goraul, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Kudhani P.S. Case No. 676 of 2023 (G.R. No. 3978 of 2023)
instituted for the offences under Sections 420, 489(b), 489(c),
468, 471/34 of the Indian Penal Code.

3. As per prosecution case, there has been recovery of
total 9 counterfeit notes from the possession of the accused
persons including the present petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
There is no direct or specific allegation against the petitioner



rather the same is general and omnibus in nature. The petitioner is neither owner of the motorcycles, in questions, nor has any concern with the same but, the mobile phones of Oppo company with Jio no. 9508525526 and a Motorola company with Sim No. 7033904443 belong to the petitioner which he has purchased. The petitioner has also no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 06.12.2023 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Manoj Kumar has been granted bail by this Court vide order dated 25.04.2024 passed in Cr. Misc. No. 31913 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned Court in connection with Kudhani P.S. Case No. 676 of 2023 (G.R. No. 3978 of 2023), subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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