

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46312 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- RAXAUL District- East Champaran

Ash Mohammad @ As Mohammad S/o Badai Miya R/o vill - Murtiya, P.S. -
Adapur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate Ms. Rashmi Jha, Advocate
For the Opposite Party/s :		Ms. Anita Kumari, APP

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

ORAL ORDER

4 18-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Raxaul
(Haraiya) P.S. Case No. 63 of 2024 instituted for the offence
under Sections 420, 489(A), 489(B), 489(c) & 34 of the Indian
Penal Code and Sections 8 & 21(b) of the NDPS Act.

3. Prosecution case in short is that there is recovery of
counterfeit currency from the possession of the petitioner
amounting to Rs. 3,000/- and one mobile phone.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-03-2024. Petitioner
bears one criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Jaialam Hawari from whom there is recovery of Rs. 37,500/- counterfeit currency and 104 grams of smack. No contraband was recovered from the petitioner's possession, hence no case is made out against the petitioner under the NDPS Act. Charge sheet has been submitted in this case. Learned counsel lastly submits that petitioner was not using the said counterfeit currency as genuine.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Raxaul



(Haraiya) P.S. Case No. 63 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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