

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41128 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- PUPRI District- Sitamarhi

Vikas Kumar Son Of Shyambabu Chaudhary Village Bhadiyan PO- Bhadiyan
P.S.- Nanpur, Dsitric - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62736 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- PUPRI District- Sitamarhi

Avnit Kumar Son of Lalbabu Singh R/O Vill.- Bhadiyan, P.S.- Nanpur, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41128 of 2024)

For the Petitioner/s : Mr. Gaurav Kumar Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 62736 of 2024)

For the Petitioner/s : Ms. Smiti Bharti, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 29-11-2024 Heard the parties.

2. Since both the matter are arising out of same P.S.
Case and, as such, with the consent of the parties both the
application are being heard together and disposed off by this
common order.

3. The petitioners seek regular bail, who are in judicial
custody in connection with Pupri P.S. Case No. 76 of 2024, G.R.
No. 162 of 2024, registered for the offence punishable under



Sections 420, 467, 468, 471, 489-C, 489-D, 489-E and 414/34 of the Indian Penal Code.

4. The allegation against the petitioners is of involved in business of counterfeit currency notes. The police on a secret information intercepted both the petitioners and from their possession, a bundle of Indian counterfeit currency notes of five hundred denomination and coupon notes total 500 x 500 = Rs. 2,50,000/- along with two mobiles were recovered from each of the petitioners. It is also alleged that during the course of interrogation, on the disclosure made by the petitioner (Avnit Kumar in Cr. Misc. No. 62736 of 2024), other co-accused persons were also apprehended and from whose possession, huge amount of counterfeit currency notes, as has been disclosed in the FIR, were recovered.

5. There is total denial of allegation levelled in the FIR. Learned Advocate for the petitioners contended that from the materials available on record, it appears that the police got a secret information at about 16:15 on 05.02.2024, as per the *fardbeyan* and thereafter, *sanha* was registered in the Police Station. But from perusal of the FIR, it is evident that General Diary Reference Entry (*sanha*) has been registered on 06.02.2024 at about 20:30. It is further contended that the



petitioners were apprehended on a public place but, surprisingly, there is no independent witness. Moreover, the seizure list witnesses have not even made charge-sheet witness. Even as per the narrations made in the FIR, the police conducted raid on four different places and from there counterfeit currency notes have been recovered but, surprisingly, in all the places, the seizure list witnesses are one and the same person. It is also the contention of the petitioners that even if the allegation taken to be true for the sake of argument, no case much less under Section 489-D is made out. So far Section 489-C is concerned, that is bailable. It is also surprising that a counterfeit notes can be prepared through a Canon printing machine is the contention of the learned Advocate for the petitioners. The petitioner in Cr. Misc. No. 411238 of 2024 bears no criminal antecedent, whereas, the petitioner in Cr. Misc. No. 62736 of 2024 bears one criminal antecedent in connection with excise matter. The investigation of the crime is complete and the charge-sheet has been submitted.

6. On the other hand, learned APP for the State vehemently opposes the bail application and submits that apart from the recovery of huge amount of counterfeit currency notes, it is the petitioner, on whose disclosure, the police conducted



raid in four different places and from all the places, huge amount of counterfeit currency notes have been recovered, which clearly suggest the involvement of the petitioners in business of counterfeit currency notes.

7. Regard being had to the submissions made on behalf of the parties and considering the materials available on record, which clearly disclose that the counterfeit currency notes along with coupon notes were recovered from the conscious possession of the petitioners and on the disclosure of the petitioners, from four different places, currency notes have been recovered.

8. This Court is not acceded to the prayer of the petitioner for grant of regular bail at present. However, the petitioners are at liberty to renew their prayer for bail after framing of the charge.

9. It is expected that the learned trial Court shall take all the endeavours to frame the charge, expeditiously.

10. Accordingly, the bail application stands rejected.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

