

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74591 of 2024**

Arising Out of PS. Case No.-125 Year-2024 Thana- KOTWA District- East Champaran

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Tuntun Sharma, Son of Late Rajeshwar Thakur @ Late Rajeshwar Sharma,  
Resident of Village- Ahirgawan, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      20-12-2024                      Heard Mr. Karandeep kumar, learned Advocate  
  
appearing on behalf of the petitioner and Mr. M.K. Nirala,  
  
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection  
with Kotwa P.S. Case No. 125 of 2024, registered for the  
offences punishable under Sections 467, 468, 489-A, 489-B,  
489-C, 489-D and 34 of the Indian Penal Code.

3. The police on a tip-off trafficking of counterfeit  
notes, apprehended two accused persons, who were coming on a  
motorcycle. In course of search, from the co-accused Jamil  
Akhtar, altogether cash of Rs.10,90,000/- counterfeit notes of  
single denomination of Rs. 500/- was recovered whereas from  
the possession of co-accused Mukesh @ Mukesh Rajbhar, Rs. 2  
lac of the same denomination was recovered. The apprehended



persons disclosed that the counterfeit notes are to be handed over to one Ram Chandra @ Ram Chandra Sharma @ Ramji. Earlier also they have handed over the counterfeit notes to him

4. Learned Advocate appearing on behalf of the petitioner contended that the petitioner is not named in the FIR, however, during the course of investigation the said Ram Chandra @ Ram Chandra Sharma @ Ramji was apprehended by the police and he disclosed the name of the petitioner. Save and except the disclosure made by the co-accused Ram Chandra @ Ram Chandra Sharma @ Ramji there is no material suggesting the complicity of the petitioner in the crime. Neither any incriminating material has been recovered from the whereabouts of the petitioner, nor from any constructive possession. The petitioner bears fair antecedent and moreover, the confessional statement even if taken by the police is not admissible in evidence, is the contention of learned Advocate for the petitioner. It is lastly contended that the petitioner has no concern with the apprehended persons or with the alleged recovered counterfeit currency.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner appears to be a member of the gang, who is involved



in trafficking of counterfeit currency.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement there is no material suggesting the complicity of the petitioner in crime, coupled with the fair antecedent and the undertaking of the petitioner that he will fully co-operate in the investigation and the proceeding of the Court, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-11, East Champaran, Motihari in connection with Kotwa P.S. Case No. 125 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

supratim/-

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