

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71282 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- ADAPUR District- East Champaran

Prabhash Chandra @ Prabhash Chandra Prasad, Son of Mahadev Rai,
Resident of Village- Koraiya, Police Station- Adapur, District- East
Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

5 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Adapur P.S. Case No.
239 of 2023, instituted for the offences punishable under
Section 414 of the Indian Penal Code and Section 13 of the
FEMA Act, 1999.

3. The prosecution case, in short, is that, the petitioner
was nabbed by SSB Jawans posted at Matiarwa check post, on
search Rs. 15,50,000/- Nepali currency was recovered from him
and his motorcycle bearing Registration No. BR-05AR-7994
was seized. On query the petitioner did not reply satisfactorily.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is the owner of the seized



motorcycle and seized Nepali currency belongs to the cousin brother of the petitioner from whom the said money was borrowed for expanding his business. Learned counsel for the petitioner further submits that the petitioner has no criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 08.08.2023. Charge-sheet has already been framed in the present case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Adapur P.S. Case No. 239 of 2023.

(Rudra Prakash Mishra, J)

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