

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85056 of 2024

Arising Out of PS. Case No.-58 Year-2021 Thana- KAKO District- Jehanabad

Shrawan Kumar S/o Late Mithlesh Chaudhary R/o Village- Waina, P.S.-
Ghosi in the district of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kako P.S. Case No. 58 of 2021, registered for the offences under Section 489(B) of the Indian Penal Code.

3. As per the prosecution case, an amount of Rs. 19,200/- was deposited in the account of the petitioner by unknown person through fake currency notes.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the case. The alleged date of occurrence is 06.04.2021. Thereafter, on 08.03.2021 the bank officials found the note to be fake and FIR was registered on 06.04.2021 without any explanation for delay in lodging the FIR. It is also not believable



that fake currency notes were deposited and the same were accepted by the cashier and kept in cash chest. It is also surprising that thereafter, it was discovered that the notes were fake and the bank officials came to know that the notes were deposited in the accounts of the petitioner. There is no material on record to substantiate the allegation against the petitioner and he has been made accused merely because he is an account holder in the bank concerned. The petitioner is in custody since 08.08.2024 and he has clean criminal antecedent and charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and submission of charge sheet against the petitioner and his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad/concerned court, in connection with Kako P.S. Case No. 58 of 2021, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure



and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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