

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1508 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- ADAPUR District- East Champaran

Ful Mohammad Ansari, S/O Badri Mian, R/O Sirisiya Kala, P.S- Adapur,
Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Adapur P.S. Case No. 176 of 2023 registered for the offences punishable under Sections 420, 489A, 489B, 489C/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 09.06.2023 the informant got information that one person from Sirisiya Kala is coming with counterfeit currency at Adapur. On this information, the informant along with other police personnel reached there and the said person got apprehended and from his possession, counterfeit currency was recovered. The apprehended accused disclosed that he had taken this counterfeit currency from one Abid Ansari and Ful Mohammad Ansari

(petitioner) and was going to Adapur to exchange it with the original currency.

4. Learned counsel for the petitioner submits that the petitioner has been made accused in this case on the basis of an alleged confessional statement of the apprehended accused in police custody. The apprehended accused has made statement that he got counterfeit currency from one Abid Ansari and Ful Mohammad (petitioner) and was going to Adapur to exchange it with original currency.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner, however, taking into consideration the fact that the name of the petitioner is said to have transpired in the confessional statement of the apprehended accused in police custody and there is no recovery from possession of the petitioner either from his person or from his house and that he has no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Adapur P.S. Case No. 176 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Raxaul,

subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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