

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27770 of 2025

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

Mukesh @ Mukesh Rajbhar Son of Makardhwaj @ Makardhwaj Rajbhar
Resident of village - Mainpur Delihawa, P.S.- Kasya, District - Kushinagar,
Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sri Ram Krishna, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 27-06-2025 Heard Mr. Sri Ram Krishna, learned Advocate for the
petitioner and learned Additional Public Prosecutor for the
State.

2. This is the second attempt on behalf of the
petitioner for grant of bail as earlier prayer for bail of the
petitioner came to be negated by this Court in Cr. Misc. No.
56602 of 2024 vide order dated 18.09.2024, after taking into
consideration the recovery of counterfeit currency notes from
the exclusive possession of the petitioner.

3. Learned Advocate for the petitioner contended that
though the prayer for bail of the petitioner came to be rejected
on the last occasion on merit, however this fact cannot be
ignored that the materials are lacking which constitutes an
offence under Sections 489-A and 489-B of the Indian Penal
Code. It is further contended that apart from other submission,



now the charges have already been framed on 21.03.2025 and this petitioner having absolutely clean antecedent has been incarcerated for over a period of one year.

4. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the material available on record clearly suggests that huge amount of currency notes have been recovered from the possession of the petitioner along with one another accused.

5. At this stage, learned Advocate for the petitioner submits that the petitioner undertakes before this Court that he will fully cooperate in the trial and will remain present on each and every date wherever his presence is required.

6. Considering the submissions advanced and taking note of the fact that the charges have already been framed and the petitioner undertakes before this Court that he will remain present on each and every date of the trial, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Xth (I/c), East Champaran, Motihari in connection with Kotwa P.S. Case No. 125 of 2024, subject to the condition that one of the bailors shall be the own/close



family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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