

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52007 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- Mehsoul District- Sitamarhi

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Santosh Kumar Choudhary Son of Late Ramashish Choudhary Village -
Koili, Nanpur PS -Nanpur Distt -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Mehsoul P.S. Case No. 08 of 2025 registered for the offences under Sections 318(4) of the B.N.S and Section 13(1) of the FEMA Act.

3. As per prosecution case, petitioner was found in possession of Rs. 10,50,000/- Nepalese currency and the petitioner did not produce any paper for possession of such currency.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is the resident of border area adjacent to Nepal and runs a shop there and it is the



common knowledge that the people of either side of the border use to Nepalese and Indian currency without any inhibition. Learned counsel further submits that no offence under Section 13(1) of the FEMA Act is made out against the petitioner and under Section 13(1) of the FEMA Act, there is no provision of imposition of time frame a person found in possession of foreign currency. Petitioner is in custody since 08.04.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

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

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi/concerned court in connection with Mehsoul P.S. Case No. 08 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. 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 court below.
- (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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