

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84797 of 2024

Arising Out of PS. Case No.-110 Year-2021 Thana- GORIAKOTHI District- Siwan

Md. Ashfaq Khan @ Sonu Khan @ Ashfaq Khan S/O Md. Naushad
Khan Vilage- Sultanpur, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 21-02-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Goreakothi P.S. Case No. 110 of 2021 registered for the alleged offences under Section 489(A), 489(B), 489(c), 489 (D) of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

03. As per prosecution case, police received secret information about co-accused Banti Kumar printing fake currency notes in his house and doing trade of it. A raid was conducted on the house of the co-accused Banti Kumar and three other persons were apprehended and recovery of country made 'katta' with live cartridges were recovered from the co-accused Banti Kumar. Further, recovery of fake currency note and articles being used for printing of the fake currency note were seized from the house of the co-accused Banti Kumar. Further, raids were conducted on the house of other co-accused persons and further recovery of fake

currency notes were made. The name of the petitioner transpired during investigation as co-accused Banti Kumar named the petitioner who was also involved in illicit trade of fake currency notes.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner has been named in this case merely on suspicion and at the instance of co-accused though the petitioner has nothing to do with the alleged offence. The petitioner has been in Oman from 25.02.2021 to 07.04.2022 and was not even present at the place of occurrence for about four months. The petitioner has been working as a Marketing Executive in India T.V. Network. The name of the petitioner transpired in the confessional statement of co-accused with allegation that he was also involved in the business of fake currency notes along with other co-accused but the same is not true. Petitioner has got no criminal antecedents.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. Learned A.P.P. submits that petitioner is one of the accused persons in a serious offence.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact

that nothing incriminating has been recovered from the person or possession of this petitioner and also considering his clean antecedent and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge-VIII, Siwan in connection with Goreakothi P.S. Case No. 110 of 2021, subject to the condition laid down under Section 438(2) 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Anuradha/-

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