

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87566 of 2024

Arising Out of PS. Case No.-326 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Neela Nupane Wife of Pratap Dahal Resident of Village- Kowaritole,
Majorganj, P.S. - Mejorganj, District - Sitamarhi and Permanent address
Village - Khabre, P.S.- Mainapokhri, District - Dolakha (Nepal)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr.Ashok Kumar Jha, Adv.
Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant
of regular bail in connection with Mejorganj P.S. Case No. 326 of
2024 dated 04.10.2024 registered for the offences punishable u/ss
317(5), 316(2), 318(3), 318(4), 323, 319(2) read with Section 3(5)
of the B.N.S., Section 25(1-B)(a), 26 and 35 of the Arms Act and
Section 13 of the FEMA Act.

3. As per the prosecution case, on 04.10.2024, during
the patrolling duty, on secret information, the petitioner and the
co-accused persons are indulged in business of doubling the
currency have gone to Sitamarhi by Scorpio vehicle. On the said
information, the said vehicle was indicated to stop and on seeing
the police party, the persons boarded on the vehicle started fleeing



away but three accused persons including the petitioner were apprehended and the other accused persons managed to flee away. On search, 100 pieces each of one thousand Nepali currency was recovered from the possession of the petitioner. A loaded country made pistol with live cartridges were recovered from the possession of the co-accused, Rohit Kumar. It is further alleged that the petitioner and the co-accused person disclosed that the Nepali currency and arms & ammunition were given to them by the accused, Md. Sattar who is indulged in doubling of currency. The accused person disclosed that the Nepali female is liner who was arrested from the hotel at Sitamarhi, on identification of the apprehended accused, who disclosed her name as Neela Nupane (petitioner) resident of Nepal. She also disclosed that the accused Md. Sattar, Md. Aslam, Suman Kumar and Rohit Kumar had cheated Rs. Six lakhs from her. They all are indulged in doubling of Nepali currency.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Suman Kumar and Rohit Kumar. It is further submitted that the recovery of arms and Nepali currency from the possession of two persons namely, Suman Kumar and Rohit Kumar. Learned counsel has further submitted that the



petitioner was never involved in any such activity as alleged and he has no concern with the allegation of doubling of money. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is a lady and she is in custody since 06.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Mejorganj P.S. Case No. 326 of 2024 with the condition :-

(i) One of the bailors must be a local resident within the jurisdiction of the learned court concerned.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

