

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68395 of 2025**

Arising Out of PS. Case No.-277 Year-2025 Thana- RAFIGANJ District- Aurangabad

Binod Kumar @ Vinod Kumar S/o Chandradip Yadav @ Chandip Yadav R/o
Village- Kauakhap, P.S.- Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

6 24-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 179, 180 and 318(4) of B.N.S
2023.

3. As per the prosecution case, petitioner was apprehended
with a tempo and upon search Rs. 62, 800/- fake currency notes were
recovered from the said tempo.

4. Learned counsel for the petitioner submits that the
petitioner was only a passenger sitting in the said tempo with no
knowledge about any fake currency. Neither the tempo belongs to the
petitioner nor he was the driver of the said tempo. In case, petitioner
had any knowledge or complicity, he would have definitely made an
attempt to flee away upon seeing the police but he continued sitting
in the said tempo. Further, the search and seizure has not been



conducted in the presence of any independent witness. No substantial material has also been collected during the course of investigation and the CCTV footage etc. also do not disclose anything against the petitioner and despite investigation being made, no material has also transpired with regard to the petitioner being part of any gang engaged in such activities. Petitioner is in custody since 14.06.2025 with no criminal antecedent and charges have also been framed on 28.01.2026 and the petitioner undertakes to fully co-operate in the trial.

5. Learned APP for the State opposed the bail petition on the ground of the counter affidavit filed in this case indicating therein that it was the petitioner who was driving the vehicle and the recovery was made from his conscious possession.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the case diary apparently does not indicate specific material collected against the petitioner but for the fact that he was apprehended in the tempo from which the currency notes were recovered, coupled with the fact that the said recovery was in the absence of any independent witness and also considering that charges have been framed in the case with no likelihood of conclusion of trial in near future, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the



case is pending/successor Court in connection with Rafiganj P.S.
Case No. 277 of 2025, subject to the conditions that :

(i) The petitioner shall remain physically present in court
on each and every date during trial and in the event of failure on two
consecutive dates without sufficient reasons, his bail bonds shall be
liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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