

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 2188 of 2023

Applicant :- Awdhesh Tiwari

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Govt. U.P.

Counsel for Applicant :- Nripendra Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Nripendra Mishra, learned counsel for the applicant, Sri Manish Kumar Pandey, learned A.G.A. for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.341 of 2022 under Sections 489B, 489C IPC, 3/25 Arms Act, Police Station Murtiha, District Bahraich.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 29.11.2022 alleging that on the basis of information received from a mukhbir regarding circulation of fake currency, two persons were apprehended. As per the recovery memo, an identity card of "Delhi Crime Bhrastachar Virodhi Print Media", an Adhar Card, a Pan Card and Rs.10,630/- were recovered from the pockets of his pant and 400 fake notes of Indian currency of denomination of Rs.500/- and 240 fake notes of Nepali currency from a backpack being carried out by the applicant. Fake currency of worth Rs.3.50 Lakh is said to have been recovered from the other accused person along with a pistol.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, and he has been falsely implicated in the present case. Applicant's involvement in six other cases has been disclosed in para 12 of the affidavit filed in support of the affidavit in all of which he has already been granted bail.

5. The learned A.G.A. has vehemently opposed the prayer for bail.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that huge fake currency in a very huge volume has been recovered from the applciant's possession and also that he has a criminal history of six other cases, I am of the view that the aforesaid facts do not warrant exercise of discretion of this Court by enlarging the applicant on bail.

7. Accordingly, this bail application stands **rejected**.

8. As the applicant has been languishing in jail since 29.11.2022, it is provided that the trial court shall proceed with the trial and conclude the same expeditiously without granting any unnecessary adjournment to any of the parties.

(Subhash Vidyarthi, J.)

Order Date :- 16.11.2023
prateek