

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 87 OF 2015**

Mukesh Brahmapal Singh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Ashish S. Chavan for the Applicant

Ms. Aruna S. Pai, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

TUESDAY, 17TH MARCH, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 17 of 2014 lodged with CIU (Operation), DCB CID, Mumbai for the alleged offences punishable under Sections 489A, 489B, 489C r/w Section 120B of the Indian Penal Code, under Sections 15a(iia), 16 and 18 of the Unlawful Activities (Prevention) Act, 1967 r/w Section 30 of the Arms Act, 1959.

3. On 25th February, 2014 at about 4.00 p.m., the present applicant along with one Jaspal Singh were arrested pursuant to some source information and trap laid by the police. The present applicant was found in possession of 350 fake counterfeit notes of Rs. 1,000/- denomination. Pursuant to the said raid and trap, the present applicant came to be arrested.

4. Learned Counsel for the applicant claimed bail on the ground of parity. He submitted that main kingpin i.e. one Dinesh Singh has been released on bail by this Court. Admittedly, Dinesh Singh was not present at the time of the raid/trap. There is no parity between the two. The learned Counsel for the applicant further contended that the applicant was not present at the spot at the time of the incident and claimed *alibi*. He relied on the muster roll to show that the applicant was present at his work place at the relevant time. He alleges certain tampering of the said muster roll on 26th February, 2014. The plea of *alibi* is a matter of defence which the applicant can prove in his defence at the trial. Learned A.P.P opposed the bail application.

5. Perused the charge-sheet. Considering the fact that the present applicant was found red-handed in possession of the fake currency notes 350 in number of the denomination of Rs. 1,000/- and the fact that the report of the Currency Note Press, Nashik Road, which has concluded that the referred suspected notes of Rs. 1,000/- are found to be fake notes, it is not a fit case to enlarge the applicant on bail. Accordingly, the application is rejected.

6. It is informed that the trial in the said case has already been expedited. Accordingly, the learned Judge shall make an endeavour to dispose of the case as expeditiously as possible.

7. It is made clear that the observations are prima facie and the learned Judge shall conduct the case on its own merits in accordance with law, uninfluenced by the observations made herein.

REVATI MOHITE DERE, J.