

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7799 of 2016

Surendra @ Bholu, S/o. Hemdas Navrang, Aged About 21 Years, R/o. Village Parsakanpa, Police Station Lalpur, District Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Lalpur, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Aman Kesharwani, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.12.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.202/2015 registered at Police Station- Lalpur, District Mungeli (C.G.) for the offence punishable under Section 489 (B) (C)/34 of Indian Penal Code.
2. As per the prosecution case, on 24.11.2015 on information received that four accused persons are in possession of the fake notes, raid was conducted and two persons Gautar Patre and Ramkhilawan Tandon were caught with Rs. 40,000/- & 60,000/- fake currency notes and the present applicant alongwith other co-accused fled away. Subsequently, after filing of the challan, the applicant surrendered before the Court.
3. Learned counsel for the applicant would submit that there is no evidence against the present applicant and only on the statement of other co-accused the applicant has been inculpated, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the FIR contains the name of the present applicant and after the incident, the applicant fled away.
5. Perused the case diary, FIR as also the Dehatinalicy wherein the applicant has been named. It appears that the applicant has fled away when the raid was conducted. Taking into such conduct of the applicant and the fact that in the contents of the FIR, the applicant has been named and he was absconding, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed. However, the Trial Court is requested to expedite the trial.

Ashok

Sd/-
(Goutam Bhaduri)
Judge