

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3497 of 2017

Amal Chauhan, S/o. Basant Chauhan, Aged About 21 Years, R/o. Subhash Block Jhopdipara Mohalla, Korba, Out Post Manikpur, Police Station Korba, Civil & Revenue District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Out Post Mankipur, Thana Kotwali, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Gary Mukhopadhyay, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.06.2017

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.37/2017 registered at Out Post- Mankipur, Police Station- Kotwali, District Korba (C.G.) for the offence punishable under Section 489(B) of Indian Penal Code.
2. As per the prosecution case, on 20.01.2017 the applicant came with a fake note of Rs.2000/- and purchased liquor on the liquor shop. Consequently, the said note was found to be fake, thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, the notes were not seized in person from the present applicant but it recovered at the counter of the liquor shop. He further submits that the charge sheet has been

filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. It appears that one note was alleged to have been recovered. Considering the facts and circumstances of the case and the place of recovery and further taking into fact that only one note was recovered, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Vacation Judge