

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4663 of 2017

Yogesh Mahilange S/o Late Shukhram Mahilange, Aged About 21 Years Permanent R/o Bhatgaon, Mana Basti, Raipur, District- Raipur Chhattisgarh, Present Address- Near Vardhman School, Krishna Nagar, Raipur, Tahsil And District- Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Office, Police Station- Nagri, District- Dhamtari Chhattisgarh.

---- Respondent

For applicant - Smt. Fouzia Mirza, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/11/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.42/2017 registered in Police Station Nagri, Distt. Dhamtari (C.G.) for offence punishable under section 489 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Bhunesh Kumar who is Supervisor of the Government Liquor Shop that one Laxmi Narayan has offered amount of Rs.2000/- which was fake to purchase liquor. Subsequently, on altercation being made he fled away and he was identified on the basis of the CCTV footage. When Laxmi Narayan was interrogated he disclosed that same was given by Varun Navrang and in turn Varun Navrang disclosed that said note was given by Yogesh the present applicant.
3. Learned counsel for the applicant submits that the applicant is a student and memorandum would reveal that only the photo copy was taken out of the note and he has not committed any offence, therefore

maximum offence will be under section 489-e of IPC and apart from that no other offence is made out. It is further submitted that apart from one note no recovery was made and the same was done out of curiosity applicant being student, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary, documents as also the memorandum. It appears that colour printer was recovered from the applicant and apart from that no other recovery has been made. Perused the memorandum statement and the seizure which shows that one note of Rs.2000/- was seized. Considering the same and the nature of allegation, applicant is in jail since 2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE