

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO.344 OF 2017

(Hiren s/o Mulchand Shah ..vs.. State of Maharashtra, through PSO, PS Saoner, District Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri J.M. Gandhi, Advocate for the applicant,
Shri N.R. Patil, Addl.P.P. for the non-applicant/State.

CORAM : S.B. SHUKRE, J.

DATED : 12-04-2017

Reply is taken on record.

Heard.

Perused the First Information Report and the
reply of the prosecution.

It appears that this applicant has been sought to be implicated in this crime only on suspicion and the suspicion is that this applicant may be the owner of the demonetized currency notes of the value of Rs.28,00,000/-. Name of this applicant does not figure in the First Information Report nor is there any allegation of involvement of this applicant in coercing or using of force in snatching away the bag containing demonetized currency notes. About the suspicion that this applicant may be the owner to the banned cash, I find that as of now there is no material present on record

to even hold that the suspicion may be having reasonable basis. On the contrary, the allegations made in the First Information Report give different indication, the indication of these currency notes belonging to somebody else whose name is specifically mentioned in the First Information Report.

In the circumstances, I am inclined to allow this application.

The application is allowed and it is directed that the applicant be released on bail in Crime No.78/2017 registered with Police Station Saoner, District Nagpur for the offences punishable under Sections 392, 384, 363, 109 read with Section 34 of the Indian Penal Code on his furnishing P.R. Bond of Rs.50,000/- together with one solvent surety in the like sum, on the following conditions :

(i) The applicant shall co-operate with the police in the matter of investigation.

(ii) The applicant shall not tamper with the prosecution evidence in any manner.

(iii) The applicant shall also co-operate with the trial Court after the charge-sheet is filed.

Criminal Application No.604/2017.

In view of disposal of main application, this application has become infructuous. It is disposed of

accordingly.

Authenticated copy of this order be furnished to
the Counsel for the applicant.

JUDGE

adgokar