

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 965 of 2017
[Navidoddin Nuroddin Farukhi Vs. State of Mah., Umarkhed Police
Station, Distt. Yavatmal]

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

Court's or Judge's orders

Mr. R. M. Patwardhan, Adv., for the applicant.
Mr. K. L. Dharmadhikari, APP for non-applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : 03rd November, 2017

The applicant, who has been arrested on 11th June, 2017 in connection with Crime No. 294/17 registered at Umarkhed Police Station, Distt. Yavatmal, for the offences punishable under Sections 489 (B), (C) and (E) and 420 of Indian Penal Code, seeks his release on bail.

As per the report dated 11th June, 2017, the applicant had purchased a soap cake by giving a currency note of Rs.100/- which was subsequently found to be a counterfeit note. On this basis, a report came to be lodged and the applicant was arrested on the same day. During his search, additional currency alleged to be counterfeit was also seized.

It is submitted on behalf of the applicant that he is a commission agent and he has not prepared the

alleged counterfeit notes. As the same were received by him, he had spent the aforesaid amount. There are no criminal antecedents and as the charge-sheet has been filed after completing investigation, the applicant is entitled to be released on bail.

The application is opposed by learned Addl. Public Prosecutor. It is submitted that similar notes were sought to be given to three persons. The applicant was also found in the custody of about thirty-five notes and hence he is not entitled for being released on bail. There is likelihood that applicant would indulge in similar activities if so released.

Perused the First Information Report as well as the documents filed along with the charge-sheet.

The statements recorded indicate such notes being sought to be tendered by the applicant for purchasing household items. After the applicant's arrest, all the notes in question have been seized and after completion of investigation, charge-sheet has been filed. I find that further detention of the applicant is not warranted. However, the appropriate conditions can be imposed so that the witnesses are not influenced.

Hence, the applicant, who has been arrested in connection with Crime No. 294/17 registered at Umarkhed Police Station, Distt. Yavatmal, for the offences punishable under Sections 489 (B), (C) and (E)

and 420 of Indian Penal Code, is directed to be released on bail on furnishing a Personal Bond of Rs. 25,000-00 [rupees twenty-five thousand only] and one surety in the like amount. The applicant after his release on bail shall attend the concerned Police Station on 1st December, 2017 between 11.00 a.m., and 1.00 p.m. and he shall also co-operate in the conduct of trial. The applicant shall not enter the limits of Umarkhed Police Station, except for marking his attendance. He shall not indulge in similar activities, nor shall take any steps to influence the prosecution witnesses.

The observations made in this order are only for deciding the bail application, which is allowed and disposed of.

Judge

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