

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 581 of 2018**

Manoj Vishwakarma, S/o. Late Kanhaiya Lal Vishwakarma, Aged About 40 Years, R/o. Near Santoshi Mandir, Shyam Nagar, Raipur, Police Station -Telibandha, Tahsil and District Raipur Chhattisgarh. Mobile No. 9302692803.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Telibandha, Raipur District -Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Arun Kochar, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**09/03/2018**

1. Application for ad-interim bail application has been filed on the ground that the applicant is a Cancer patient. Report has been received by the counsel for the State, which confirms that applicant is suffering from mouth Cancer and is under going treatment, hence, the case is heard finally.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.426/2017, registered at Police Station – Telibandha, Raipur, District – Raipur (C.G.) for the offence punishable under Section 489 (A) (C) (D) (E) of Indian Penal

Code.

3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against him on the basis of the material present in the charge-sheet filed against him. Applicant is in jail since 24.10.2017 and he is ready to abide by all the conditions imposed while enlarging him on bail, it is prayed that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that looking to the evidence present against this applicant for his prosecution, he is not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. Police personnel of Police Station Telibandha, Raipur raided the house of this applicant on the date of incident and found in his possession 40 counterfeit fake currency notes of Rs.2,000/- each and also other materials of printing of counterfeit currency notes, which were seized from his possession and thereafter, the case was registered.
7. Considered the submissions made and the contents of the case diary. As presently, the case is before the trial Court, further the trial is likely to take sometime for its conclusion and this applicant is suffering from mouth Cancer, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram