

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 361 of 2018

1. Gulshan Dhiwar, S/o. Shri Rajkumar Dhiwar, Aged About 22 Years
2. Prahalad Shrivasa, S/o. Shri Ramlal, Aged About 38 Years.

Both are R/o. Sanjay Nagar, Jaijaipur, Police Station & Tahsil Jaijaipur District Janjgir Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post Sargaon, Police Station Pathariya, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants : Mr. Ajay Chandra, Advocate

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.03.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.428/2017 registered at Police Station- Mungeli, District Mungeli (C.G.) for the offence punishable under Section 489 A,B,C, 34 of I.P.C.
2. Case of the prosecution, in brief, is that certain persons other than the applicants after purchase of articles has tendered a currency note, which were on doubt found to be fake. Subsequently, during investigation, the applicants were apprehended and on their memorandum from Gulshan Dhiwar (Applicant No.1) Rs.26,400/- and from Prahalad Shrivasa (Applicant No.2) Rs.18,200/- fake currency notes were recovered.
3. Learned counsel for the applicants submits that other similarly placed co-accused namely Mahesh Kumar Gendle & Ramesh Kumar Gendle have been enlarged on bail by the co-ordinate Bench of this Court in MCRC No.6341 of 2017 and the case of the

present applicants are similar, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary. Perusal of the case diary would show from Gulshan Dhiwar recovery of fake currency note of Rs.26,400/- and from Prahalad Shrivastava recovery of fake currency note of Rs.18,200/- was made. Considering the quantum and the huge recovery of the fake note, I am not inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge