

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.915 of 2018**

- Bhuvneshwar (Bhuneshwar Prasad Chandra Wrongly Mentioned In Order Sheet) S/o Badri Prasad Aged About 47 Years R/o Village Mouhadih Jaijaipur, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

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

---- Respondent**MCRC No. 916 of 2018**

- Sunder Lal Kashyap S/o Chinda Ram Aged About 63 Years R/o Village Jari, Police Station Saragaon, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

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

---- Respondent

For Applicants	:	Shri Ajay Chandra, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/04/2018**

Heard.

1. The aforesaid two bail applications (M.Cr.C.Nos.915 & 916 of 2018) are being disposed off by this common order as these applications arising out of the same crime number.
2. The applicant in these two bail applications have been arrested in

connection with Crime No.428 of 2017 registered at Police Outpost Sargaon, Police Station-Pathariya, District-Mungeli (C.G.) for alleged commission of offence under Section 489-A, B & C/34 of the IPC.

3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants on the basis of material in record of the prosecution case. Both the applicants are rustic villagers and have nothing to do with the use and possession of the fake currency notes. The applicants are in jail since 25-08-2017 and they are willing to abide by all the conditions imposed for grant of bail. Hence, it is prayed that the applicants may be granted bail.

4. Learned counsel for the State/non-applicant opposes the application by submitting that the applicants have been engaged in possessing and using fake currency notes. The offence is of serious nature. Hence, the applicants are not entitled for grant of bail.

5. Heard learned counsel for the parties and perused the case diary.

6. As per the case, on the date of incident, currency note of Rs.100/- was given to complainant Ashok Singh Thakur for payment of some article purchased. The complainant had a doubt that the currency note given was fake; he informed the police chowki Sargaon. The applicants were apprehended and fake currency notes of Rs.100/- and Rs.2000/- were recovered from their possession. Thereafter, the case was registered against them and others.

7. Considered on the submissions made and contents of the case diary.

8. As similarly situated other co-accused-Mahesh Kumar Gendle and Ramesh Kumar Gendle have been granted regular bail by this Court vide order dated 08-01-2018 in MCRC No.6341 of 2017 as also considering the facts and circumstances of this case and the fact that the applicants are local residents and that they shall be available for the trial, I am of the view that the applicants

should be enlarged on regular bail in the present matter.

9. Consequently, the applications (MCRC No.915 & 916 of 2018) filed under Section 439 of the Cr.P.C. by the applicants is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E