

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7878 of 2017

- Varun Kumar, Son of Udaylal @ Ubhaylal Navrang, aged about 34 years, Caste Satnami, resident of Village Chhipli Purani Basti, Ward No. 10, Tehsil Nagri, Police Station Nagri, District Dhamtari, Chhattisgarh.
- Laxminath Khute, son of Dukaluram Khute, aged about 41 years, resident of Chhipli Purani Basti, Ward No. 9 Nagri, Police Station Nagri, Tehsil Nagri, District Dhamtari, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station Nagri, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Kunal Das, Advocate.
For Respondent/State	:	Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

01/03/2018

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. 42/2017 registered at Police Station- Nagri, District – Dhamtari (Chhattisgarh) for the offence punishable under Section 489 a, b, c/34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and he is in jail since 20.06.2016. No case is made out against them on the basis of the material

available in the charge sheet. They are the local residence of District Dhamtari and they are ready to abide by all the conditions and directions, which may be imposed while granting bail to them. Hence, it is prayed that applicants be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that seizure has been made from the applicant No. 1 of two counterfeit currency notes of Rs. 10/- each, on the basis of evidence present in the case diary, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Complainant- Bhanish Kumar Soni supervisor of the liquor shop at Nagri, lodged a FIR at Police Station Nagri, District- Dhamtari stating that some unknown person has presented a counterfeit currency note of Rs. 2,000/- for making purchase of liquor from his shop. The currency note was seized and thereafter during investigation at the instance of the applicant No. 1, a counterfeit currency note of Rs. 10/- into two numbers were seized and there is also CCTV footage in which one of the applicant is seen and purchasing the country made plain liquor in the counter of this liquor shop.
6. Considered the facts and evidence present in the case diary the only direct allegation against the applicant No. 1, is that he was in possession of the counterfeit currency notes of Rs. 10/- and there is no seizure against the applicant No. 2. Hence, I am of this opinion that both the applicants should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with

one surety in the like sum to the satisfaction of the concerned Court,
for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Amita