

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1546 of 2018**

Neer Afjal Khan S/o Moh. Safil Khan Aged About 29 Years R/o-
Village-Jaijaipur, P.S. Jaijaipur, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through- P.S. Jaijaipur, District- Janjgir-
Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 1558 of 2018**

1. Annu Chauhan S/o Godol Chauhan Aged About 34 Years R/o- Village
Odhekera, Police Station Jaijaipur, Civil And Revenue District Janjgir
Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Gautam Dhiwar S/o Radhelal Dhiwar Aged About 24 Years R/o-
Village Odhekere, Police Station Jaijaipur, Civil And Revenue District-
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh

---- Applicants**Vs**

State Of Chhattisgarh Through- Police Station Jaijaipur, District-
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 2510 of 2018**

1. Bhagwat Vaisnav S/o Kanhaiya Das Aged About 38 Years R/o- Village
Mauhadeeha, Police Station Jaijaipur, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Yadram Sahu @ Kochiya S/o Kanhaiya Lal Aged About 28 Years
Village- Parsadeeha, Police Station Jaijaipur, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Kushal Shriwas S/o Ramayan Shriwas Aged About 30 Years R/o-
Village- Odhekera, Police Station Jaijaipur, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants**Vs**

State Of Chhattisgarh Through- Police Station Jaijaipur, District-
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh

---- Respondent

For the Applicants : Shri Deepak Kumar Singh and Shri
Ravindra Sharma, Advocates.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

08.05.2018

1. Heard.
2. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.95 of 2017, registered at Police Station – Jaijaipur, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 498(A)(B)(C) & (D)/ 34 of the Indian Penal Code.
3. Learned counsel for the applicants submit that the applicants are in jail since quite sometime and have been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and the trial against these applicants is still pending. The two co-accused persons – Rajendra Kurre and Bhagwat Chandra have been granted bail by this Court in M.Cr.C. No. 7805 of 2017 vide order dated 21.2.2018. Hence, for these reasons, the applicants are entitled for grant of bail.
4. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that all the applicants were engaged in manufacturing and making use of

counterfeit currency notes as genuine according to the memorandum statement and also statement of the witnesses present in this case. This kind of offence is directly against the economy of the nation. It is further submitted that the charges have been framed against the applicants under Section 498(A), (B), (C) and (D) of the IPC. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

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

6. According to the prosecution case, one co-accused – Shiv Prasad Manhar made use of one fake currency note of Rs.2,000/- for buying some snacks. The shopkeeper discovered that the note was fake. Shopkeeper – Chhotelal Yadav lodged FIR and co-accused – Shiv Prasad Manhar was arrested and the names of these applicants were mentioned by co-accused - Shiv Prasad Manhar in the memorandum statement. Some recovery of counterfeit currency notes was made from the possession of these applicants and one laptop and printer was seized from the possession of Annu Chowhan, which was allegedly used for manufacturing counterfeit currency notes. The forensic report regarding the laptop, printer and the scanner has not been received till date. According to the information given, the trial has commenced and some of the witnesses have been examined before the trial Court. Regarding the possession of the counterfeit currency notes, the offence under Section 489C is made out and that is a bailable offence.

7. Considered the other evidence present in the case-diary. Taking into consideration the fact that the two co-accused persons have been granted

bail by this court, the trial of the case is likely to take sometime for its conclusion and the applicants are in jail since quite sometime, the bail applications deserve to be allowed.

8. Accordingly, the bail applications filed under Sections 439 of the Cr.P.C. are allowed.

9. It is directed that the applicants in all the cases shall be released on bail on each of them 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 their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge