

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.2223 of 2018**

- Goutam Kumar Dhiwar S/o Radhe Lal Aged About 24 Years R/o- Odekera- Police Station- Jaijaipur, 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 Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****04/05/2018**

Heard.

1. The applicant has 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-B & C/34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of material in record of the prosecution case. The applicant is rustic villager and has nothing to do with the use and possession of the fake currency notes. The applicant is in jail since 25-08-2017 and he is willing to abide by all the conditions that may be imposed for grant of bail. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application by submitting that the applicant has been engaged in possessing and using fake

currency notes. The offence is of serious nature. Hence, the applicant is not entitled for grant of bail.

4. 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 for payment of some article purchased. The complainant had a doubt that the currency note given was fake; he informed the police chowki Sargaon. It is alleged that from the co-accused, fake currency notes were recovered. Allegation against the applicant is that he had given those currency notes to the complainant. Thereafter, the case was registered against the applicant and other co-accused.

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

8. As other co-accused-Mahesh Kumar Gendle, Ramesh Kumar Gendle, Bhuvneshwar and Sunder Lal Kashyap, who are alleged to be found in possession of fake currency notes, have already been granted regular bail by this Court and the fact that fake currency notes were recovered from other co-accused as also considering the facts and circumstances of this case and further the fact that the applicant is a local resident and would be available for the trial, I am of the view that the applicant should be enlarged on regular bail in the present matter.

9. Consequently, the application is allowed. It is directed that the applicant shall be released on bail on 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/-

(**Manindra Mohan Shrivastava**)

J U D G E

