

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7805 of 2017

- Rajendra Kurre S/o Dujram Kurre, Aged About 22 Years, R/o Village Pihareed, Police Station Malkharauda, Civil And Revenue District Janjgir-Champa, Chhattisgarh, Chhattisgarh
- Bhagwat Chandra S/o Ramesh Chandra, Aged About 20 Years, R/o Village Bhutha, Police Station Malkharauda, Civil And Revenue District Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

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

---- Non-applicant

For Applicants – Shri Deepak Kumar Singh, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 28-06-2017 in connection with Crime No.95/2017 registered at P.S. Jaijaipur, District Janjgir-Champa, Chhattisgarh for the offence under Section 489(A), 489(B), 489(C), 489(D)/34 of the IPC.

2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. Only offence that is made out against these applicants is the offence under Section 489(C) of the IPC. No evidence is present against these applicants in the material present in the charge sheet. The applicants are in jail since 28-06-2017. They are local resident of District Janjgir-Champa. Hence, it is prayed that they may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application. It is submitted that the applicants are a part of big racket which was engaged in manufacturing fake and forged currency notes. This kind of offence is

detrimental to the economy of nation. Hence, the applicants are not entitled for grant of bail.

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

5. The case is this that, co-accused Shiv Prasad tried to make a purchase from a fake currency note of Rs.2000/- from the shop of complainant Chhotelal Yadav. The complainant having doubt about produced currency note, submitted the said note in P.S. Jaijaipur, where it was confirmed that the currency note was fake and on his information, the FIR was lodged. During investigation 9 currency notes of Rs.2000/- were recovered and seized from applicant No.2, whereas, 19 currency notes of Rs.2000/- were recovered and seized from applicant No.1. Charge sheet has been filed after completion of the investigation.

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

7. As the evidence against these applicants is only about keeping in possession the fake/forged currency notes and offence under Section 489(C) of the IPC is bailable and also considering on the entire material of the prosecution against these applicants, I am of this view that the applicants should be released on regular bail during pendency of the trial against them.

8. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail 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 Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge