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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7489 of 2017

1. Shahabuddin Shekh Iraki S/o Rahmat Shekh Iraki, Aged About 32 Years, R/o Village Sanawal, Police Station Sanawal, District Revenue And Civil Balrampur, Chhattisgarh, Chhattisgarh
2. Smt. Dhanpatiya Singh @ Noorfatima W/o Shahabuddin Shekh, Aged About 32 Years, R/o Village Tatiarther, Police Station Sanawal, District Revenue And Civil Balrampur, Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Odagi, District Revenue And Civil Surajpur, Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicants – Shri S.D. Singh, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-01-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicants for regular bail. The applicants have been arrested on 21-04-2016 in connection with Crime No.31/2016 registered at Police Station Odagi, District Surajpur, C.G. for the offence under Section 489 (ख) (ग), 420/34 of the IPC.

2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. After submission of charge sheet, no progress has taken place in the trial against the applicants. They are in jail since 21-04-2016. They are local residents of District Balrampur. Hence, it is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that the offence is

against the State economy, hence, the applicants are not entitled for grant of bail.

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

5. As the case is, applicant No.1 tendered a fake currency note of Rs.1,000/- in a shop in fair. The shopkeeper, complainant, had some doubt and when he started enquiry, applicant No.1 tried to flee, he was caught and then the police has recovered fake currency notes of Rs.15,000/- from applicant No.1 and one fake currency note of Rs.500/- from applicant No.2, on the basis of which the case is before the trial Court.

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

7. As there is no criminal history of the applicants, they are local residents and there is possibility of their availability for trial, hence for these reasons, their application for grant of regular bail deserves to be allowed in the present matter.

8. Consequently, the application (MCRC No.7489/2017) 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 Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge