

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7513 of 2017

- Latif Khan S/o Rahmat Khan, Aged About 32 Years R/o Village Barihapali, Police Station Saraipali, District Mahasamund, Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saraipali, District Mahasamund, Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Bharat Sharma, Advocate.
For Respondent : Mr. Wasim Miyan, Panel Lawyer.

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

29/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.230/2017, registered at Police Station– Saraipali, District– Mahasamund(C.G.) for the offence punishable under Sections 498B read with Section 34 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant on the basis of material in the charge-sheet. The alleged fake currency notes have been seized from this applicant, have been sent for FSL examination, but there is no report as such till date that the currency notes seized from this applicant were counterfeited. Applicant is in jail since 19.7.2017, hence, it is prayed

that he may be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant was provided with fake currency note by co-accused Madhusudan Rana from whose possession 390 counterfeit currency notes were seized. Hence, it is big racket making use of fake currency notes in crime, because of which he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. On the date of incident, on receiving a secret information, police personnel of PS-Saraipali searched and seized 15 fake currency notes value of Rs.2000/- each, from the possession of this applicant and on his memorandum statement huge number of fake currency note were seized from the possession of co-accused person, on the basis of which case has been registered.
6. Considered on the submissions and the contents of the case diary, as it appears that Madhusudan Rana is the main accused, who has made use of this applicant. Taking into consideration all the facts against this applicant, I am of this view that this is a fit case where the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

