

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CRA No. 1145 of 2019**

1. Rasid Beg @ Daddu S/o Shri Ibrahim Beg Aged About 22 Years
2. Vijay Bhandarkar S/o Shri Madhu Bhandarkar Aged About 19 Years

Both R/o Quarter No. 60, Atal Aawas Pendri, Police Station
Lalbag, Civil and Revenue District Rajnandgaon, Chhattisgarh.

---Appellants**Versus**

- State of Chhattisgarh, Through The Station House Officer, Police Station Kotwali, Civil And Revenue District Rajnandgaon Chhattisgarh.

---- Respondent

For Appellants
For Respondent/State

Mr. Paras Mani Shrivastava, Advocate.
Ms. Fouzia Mirza, Additional A.G.

Hon'ble Shri Justice Prashant Kumar Mishra**Hon'ble Shri Justice Gautam Chourdiya****Judgment on Board by Shri Prashant Kumar Mishra J.**

31/07/2019

1. This is an appeal by the accused/appellants under Section 21(4) of the National Investigation Agency Act, 2008 against the order dated 28.06.2019 passed by the Special Judge, N.I.A. Act, Bilaspur, District Bilaspur, C.G. refusing to allow regular bail under Section 439 Cr.PC.
2. The accused/appellants have been arrested on 10.06.2019

by Police Station Kotwali, District Rajnandagon, C.G. in connection with crime no.328/19 for the offence punishable under Section 489B/34 of IPC.

3. We have heard learned counsel for the parties at length and perused the case diary.
4. The appellants were found in possession of four counterfeit notes of 100 denomination when they had gone to purchase country made liquor at a liquor shop at village Rewadih, P.S. Kotwali, District Rajnandgaon, C.G.
5. While opposing the prayer for grant of bail, learned State counsel would submit that appellants were aware of the fact that the notes are counterfeit yet they were trying to purchase liquor by using the said counterfeit notes, therefore, they are not entitled to be released on bail.
6. Perusal of the papers available in the case diary would not reveal that the appellants were aware that the notes were counterfeit. In any case, it is the subject matter of trial by the Sessions Court. The appellants are not found to be having any previous antecedent of their involvement in similar nature of offence or any other heinous offence. They are young offenders aged about 22 & 19 years respectively. Therefore, considering the relevant aspects of the matter, we are inclined to allow the appeal.
7. Accordingly, the appeal is allowed. The impugned order, insofar as it relates to the appellants herein, is set aside and

the appellants' prayer for release on bail under Section 439 Cr.PC is allowed. They are directed to be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the trial Court. The appellants shall appear before the trial Court as and when directed by the said Court till conclusion of the trial.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Akhilesh