

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6678 of 2019**

- Nikhil Kumar Singh S/o Siddheshwar Singh Aged About 37 Years R/o Piradi, Police Station Derani, District Chhapra Bihar. At Present R/o Rajat Prime Complex, Flat No. 708, Amlidih, Police Station New Rajendra Nagar, Raipur, District Raipur Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Rajendra Nagar, Raipur, District Raipur Chhattisgarh.,

**---- Respondent**

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| For Applicant        | : Shri Manoj Paranjape, Advocate |
| For Respondent/State | : Smt. Reena Singh, PL           |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**06/12/2019**

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 307/2018 registered at police station Rajendra Nagar, district Raipur (CG) for the offence punishable under Sections 489-A, 489-C, 489-D, 489-E read with Section 34 IPC.

Case of the prosecution in brief is that on 2.12.2018, upon receiving information, police party raided the flat of applicant and seized fake currency notes of Rs. 2,000/- in A-4 colour papers total amounting to Rs. 5,00,00,000/-.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case and that the offence as alleged is not made out against him. He further submits that the applicant has been arrested on 2.12.2018 and one year has expired, charge sheet has been filed on 11.01.19 but till now, the trial has not been commenced. He submits that similarly placed co-accused has already been granted bail by this Court in M.Cr.C. No. 2163/2019 and on the ground of parity, the applicant may also be granted the benefit. He submits that the applicant is in jail since 02.12.2018 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant and the fact that the co-accused has been granted bail by this Court, I am inclined to release him on regular bail after imposing some conditions. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 5,00,000/- with two local sureties, one of whom shall be local surety, in like sum to the satisfaction of the concerned Court, he shall be released on bail subject to the following conditions:

- (i) That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any offence of the like nature, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.

(ii) That the applicant shall make himself available for interrogation before the concerned investigating officer as and when required and shall not, directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade them from disclosing truth before the Court;

(iii) That the applicant shall not commit any offence or involve in any criminal activity;

(iv) That the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

(v) In case of his involvement in any other criminal activity or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

Certified copy as per rules.

Sd/-  
(Rajani Dubey)  
Judge