

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No.1881 of 2019

- Goutam Kumar, S/o Seth Lal Tonder, Aged About 28 Years, R/o Kodapar, P. S. Arang, District Raipur, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station Basna, District Mahasamund, Chhattisgarh

---- Respondent

CRA No. 206 of 2020

- Kamal Bariha, S/o Kanhaiya Bariha, Aged About 28 Years, R/o Bilkhand, Police Station Basna, District- Mahasamund, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Basna, District Mahasamund, Chhattisgarh

---- Respondent

For Appellants	Shri R. K. Dubey and Shri J. K. Gupta, Advocates
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For Respondent-State	Ms. Fouzia Mirza, Addl. AG
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Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board By Shri Prashant Kumar Mishra J.

25/02/2020

1. These appeals under Section 21 (4) of the NIA Act, 2008 have been preferred challenging the order passed by the Trial Court in Special Case (NIA)/05/2018 arising out of Crime No.248/2018

refusing to enlarge the appellants on regular bail under Section 439 of CrPC.

2. The accused Goutam Kumar, Chamru Patel, Krishna Kumar and Manmohan Das were caught red handed while they were traveling in an Omni Van and trying to circulate counterfeit currency notes of Rs.2,000 denomination. On their memorandum, the other accused persons namely Kamal Bariha, Govinda, Rupanand and Surendra Kumar were arrested. In the memorandum statement of all the accused persons, they informed the Police that the appellant Kamal Bariha used to print currency notes and they were involved in circulating the same. From the appellant Kamal Bariha, not only the counterfeit currency notes for staggering amount of Rs.4,36,000/- has been recovered, but on his memorandum also, the high quality ink, papers, scissors, blade etc. have been recovered. He informed the Police that the printer used for printing counterfeit currency notes has been sold to one Ujagar Singh. The printer was then recovered from Ujagar Singh.
3. The co-accused Rupanand and Surendra Kumar, from whom the counterfeit currency notes have been recovered, have already been released on bail by the High Court in CRA No.725/2019. The allegation against the appellant Goutam Kumar is similar to those who have been released by the High Court. Although, the memorandum statement of some of the accused would reveal that Goutam Kumar was also associated with Kamal Bariha and Govinda for preparing the counterfeit currency notes, but recovery of the instruments for printing the counterfeit currency

notes has been made from Kamal Bariha and not from Goutam Kumar.

4. Considering all the relevant aspects of the matter, we are inclined to release the appellant Goutam Kumar on bail, as his case is more or less similar to Rupanand and Surendra Kumar, who have been granted bail by the High Court.
5. Considering the recovery of instruments used for printing the counterfeit currency notes from Kamal Bariha, his prayer for grant of bail is rejected.
6. In view of the above, CRA No.1881/2019 is allowed and the appellant **Goutam Kumar** is directed to be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. CRA No.206/2020 filed by Kamal Bariha, which is infact his second bail application after withdrawal of the first application bearing CRA No.1114/2019, is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge