

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No.1588 of 2019

- Motilal Sahu, S/o Gangaram Sahu, Aged About 34 Years, R/o Village- Saldih, Police Chowki - Baloda, Police Station- Saraipali, District- Mahasamund, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh, through the Police Station Saraipali, District Mahasamund, Chhattisgarh

---- Respondent

For Appellant
For Respondent

Shri J. K. Gupta, Advocate
Ms. Fouzia Mirza, Addl. AG

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Shri Prashant Kumar Mishra J.

10/01/2020

1. This appeal under Section 21 (4) of the National Investigation Agency Act, 2008 would call in question the legality and validity of the impugned order, whereby the Special Judge (NIA) and the Sessions Judge, Bilaspur has rejected appellant's prayer for his release on regular bail under Section 439 of CrPC.
2. The appellant has been denied bail vide the impugned order dated 30.09.2019 passed by the learned Special Judge (NIA) and the Sessions Judge, Bilaspur in Special Case (NIA) No.02/2019 arising out of Crime No.116/2019, registered at Police Station Saraipali, District Mahasamund, for the offence punishable under Section 489(B) and 34 of IPC.

3. As per the prosecution case, the concerned Police received secret information that the accused Sunil Das is possessed of counterfeit currency notes and is trying to circulate the said notes in the market. The concerned Police seized 4 counterfeit currency notes of Rs.500/- denomination from Sunil Das and likewise 4 more notes of Rs.500/- denomination were recovered from the accused Chhatramani Sao. In the memorandum statement of both these accused, they stated that the counterfeit notes have been supplied by Dharamdas and that when they had gone to Village Saldih, they had deliberated with the present accused Motilal for circulating the counterfeit currency notes.
4. Admittedly, no recovery has been made from the present applicant nor he has been arrested on the spot when Sunil Das was arrested.
5. Considering the fact that the accused was not found to carry any counterfeit notes, we are inclined to allow the present appeal and direct his release on bail on his furnishing a personal bond for a sum of Rs.1 Lakh with two sureties 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.

Sd/-

Prashant Kumar Mishra
Judge

Sd/-

Gautam Chourdiya
Judge