

HIGH COURT OF CHHATTISGARH, BILASPURCRA No. 1597 of 2019

1. Gyanendra Tiwari @ Lala S/o Shri Munna Lal Tiwari Aged About 27 Years R/o Village Kolha, Post Dhavsar, Ward No. 9, Near School, Police Station Shahpur, District Rewa (M.P.)

---- Appellant

Versus

1. State Of Chhattisgarh Through The Police Station Ambikapur, District Surguja Chhattisgarh

---- Respondent

For Appellant

Shri J.K. Gupta, Advocate

For Respondent/State

Ms. Fouzia Mirza, Addl. Adv. General

*(Proceedings through Video Conferencing)*Hon'ble Shri Prashant Kumar Mishra, J.Hon'ble Shri Gautam Chourdiya, J.Judgment of BoardByPrashant Kumar Mishra, J.15-7-2020

1. This appeal under Section 21 (4) of the National Investigation Agency Act, 2008 (for short 'the NIA Act') would call in question the order passed by the trial Court dismissing the appellant's application under Section 439 of the Cr.P.C. for his release on regular bail.
2. The police of Police Station Ambikapur, District Surguja, arrested the appellant on 26-4-2018 in connection with Cr.No.7/2018 for the offence under Section 489B & 489C of the Indian Penal Code.
3. The appellant has been arrested along with co-accused namely; Rajikul Shekh as both of them were found in illicit possession of

counterfeit currency notes of Rs.2000/- denomination. From this appellant 30 currency notes of Rs.2000/- denomination have been recovered and the total recovery from the accused persons is to value of Rs.2.00 lacs.

4. Case diary reveals that the co-accused Rajikul Shekh used to bring counterfeit currency notes from Bangladesh Border for trafficking the same in different parts of the country. Rajikul Shekh is a resident of Imamjagir, Police Station Kaliya Chak, District Malda (West Bengal).
5. It is argued that the appellant has been framed in the matter and further that the witnesses so far examined before the trial Court have turned hostile.
6. On the other hand, learned counsel for the State would oppose the appeal.
7. An offence under Section 489B and 489C of the Indian Penal Code for dealing in counterfeit currency notes is a serious offence against the economy of the country. The counterfeit currency notes seized in the present crime were brought from Bangladesh for trafficking in different parts of the country.
8. Considering the seriousness of the offence and for the fact that the co-accused Rajikul Shekh has already been denied regular bail in Cr.A.No.1217 of 2019 (decided on 18-11-2019), we are not inclined to allow the appeal.
9. As a sequel, the criminal appeal, *sans substratum*, is liable to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Gowri