

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 812 of 2021

1. Khalil Ahmad S/o Nawab Khan Aged About 28 Years R/o Village Mohdamka, P. S. Hatin, District Palwal Haryana
2. Mohammad Shakir S/o Harun Aged About 28 Years R/o Village Lakhnaka, P. S. Hatin, District Palwal Haryana

---- Appellants

Versus

State Of Chhattisgarh Through Police Station Konta, District Sukma
Chhattisgarh

---- Respondent

For Appellants	:	Shri P.R. Patankar, Advocate
For State	:	Shri Mateen Siddiqui, Dy.A.G.

**D.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor**

Order On Board

07/09/2021

Heard.

1. This appeal filed under Section 21 (4) of the National Investigation Agency Act, 2008 is directed against order dated 5.7.2021 whereby learned Special Judge (NIA Act/Schedule offences) South Bastar, Dantewada (CG) has rejected appellants' application for grant of bail.
2. The appellants have been arrested in connection with Crime No.10 of 2021, registered in Police Station- Konta, Sukma (CG) for alleged commission of offence punishable under Section 489-A, 489-B/34 IPC.
3. It is the case of the prosecution that when the appellants were intercepted and were required to pay fine under Motor Vehicles Act, they tendered fake currency notes and upon further search, large number of currency notes

were found in their possession.

4. Learned counsel for the appellants would argue that the appellants are the Driver and Helper of the truck which is being operated by them upon instructions of the owner and whatever amount they were having in their hands were entrusted to them and they bonafide tendered the notes towards payment of fine amount without having knowledge that they are fake currency. It is further submitted that the appellants have been arrested on 13.3.2021 but till date, there is no material progress in the trial. Therefore, at this stage, the appellants may be granted bail.
5. On the other hand, learned counsel for the State opposed the bail application and submits that the appellants tendered towards payment of fine, fake currency notes and later on, when they were searched, huge fake currency notes were seized from them which prima facie makes out a case of commission of offence alleged against them particularly under Section 489-B IPC which is punishable to the extent of life imprisonment.
6. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the material on the basis of which case has been registered against two appellants, we are of the opinion that the learned Court below did not commit any illegality in rejecting bail application of the appellants particularly when it is not a case where the appellants have been languishing in jail since long without any progress in the trial.
7. In the result we do not find any merits in the appeal. The appeal is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge