

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (BA) NO. 201/2021**

Rahul S/o Gotiram Sable

**-VERSUS-**

State of Maharashtra.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

Shri R. M. Daga, Advocate for applicant.

Ms. S. S. Jachak, APP for non-applicant/State.

**CORAM : VINAY JOSHI, J.**

**DATE : 06.04. 2021.**

Hearing was conducted through Video Conferencing.

2. The applicant was arrested in Crime No. 288/2020 registered with Police Station Dhamangaon Badhe, Dist. Buldhana for offence punishable under Sections 489(B)(C) read with Section 34 of the Indian Penal Code. It is case of prosecution that co-accused Dhyaneshwar deposited cash of Rs. 2.65 lakhs in the Bank out of which 181 notes having denomination of Rs. 200/- each were found to be fake, hence complaint.

3. During course of investigation, it was transpired that Dhyaneshwar received the currency notes from co-accused Vitthal who received from applicant. It was also revealed that

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applicant received tainted notes from one Gotiram who has received it from Santosh Beldar. Thus, it appears that the fake currency notes were originated from co-accused Santosh Beldar.

4. This Court after considering all these aspects, has released Dhyaneshwar on bail who was actually found in position of currency notes. Like Vitthal who is having exactly similar role like applicant, has also been released on bail. Therefore, the rule of parity would squarely apply. Moreover, the role assigned to applicant is only timely phenomenon that he took currency notes from his father and handed over to someone else. In view of this fact, resistance on part of the State carries no meaning. Applicant is entitled for bail, hence following order:-

(I) Application is allowed.

(II) Applicant – Rahul S/o Gotiram Sable is released on bail in Crime No. 288/2020 registered with Police Station, Dhamangaon Bahde, Dist. Buldhana for the offence punishable under Section 489(B)(C) read with Section 34 of the Indian Penal Code, on his executing P.R. Bond of Rs. 25,000/- with one or two sureties each in the like amount.

(III) Applicant shall neither tamper with the

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evidence nor pressurize the prosecution witness in any manner.

(IV) Applicant shall attend the concerned Police Station on first and third Saturday of the month in between 11.00 a.m. till commencement of the trial.

(V) Applicant shall not indulge in similar type of offence in future. If they are found involved in such type of offence, the prosecution will be at liberty to move for cancellation of bail.

(VI) Applicant shall keep himself away from the limits or area where the complainant and other witnesses are residing.

(VII) Applicant shall not change the place of residence without prior intimation to the concerned Police Station,

(VIII) Applicant shall attend the dates of hearing regularly in the Trial Court.

(IX) His two consecutive absence without reasonable cause will entail the prosecution to move for cancellation of bail.

**JUDGE**

Gohane.