IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 ANTICIPATORY BAIL APPLICATION NO.1115 OF 2022

SAYYED JAFAR SAYYED SABIR
VERSUS
THE STATE OF MAHARASHTRA

Mr Rajkumar B. Dhaware, Advocate for applicant;
Ms V.S. Choudhari, A.P.P. for respondent

CORAM : S. G. MEHARE, J.

DATE : 21st September, 2022

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.

2. The applicant has been roped in C.R. No.345 of 2013 for the offences punishable under Sections 489-B, C, 420, 120-B of the Indian Penal Code, registered with MIDC Waluj Police Station, Aurangabad.

3. The prosecution has a case that the police got the secret information that some persons were selling counterfeit currency notes to a punter. Therefore, a trap was arranged. In the trap, the police apprehended two persons and seized the fake currency notes from them. During the investigation it has been transpired that the present applicant used to purchase such fake currency notes and then spread in the market.

4. The learned counsel for the applicant has vehemently argued that since last 30 years there are no antecedents to the discredit of the applicant. He was not aware of the crime registered against him. However, when the Court issued non bailable warrant against him, he learnt about the crime registered against him. Hence, he immediately rushed to the Sessions Court He was never absconding. Police never visited his home. He has not been named in the first information report. The statement of the co-accused has no evidentiary value. He does not know the arrested co-accused. Even he does not know they told his name. He had no concern at all with the alleged counterfeit currency notes. Therefore, he may be protected.

5. The learned A.P.P. has strongly opposed the application. She would submit that the offence is serious and affects the national economy. During the course of the investigation it has been transpired that the applicant used to purchase fake currency notes and distribute in the market. Soon after transpiring the name of the applicant the police went to the house of the applicant but it was told to the police that he went to Hyderabad. Since then the police were searching the applicant but he could not be traced. Therefore, the charge-sheet under Section 299 of the Code of Criminal Procedure was filed against him. The Court issued the non bailable warrant

against the applicant. Thereafter, first time the applicant appeared to seek anticipatory bail. She has prayed to reject the application.

6. Perused the papers produced by the prosecution. The trap was successful and two co-accused were apprehended with fake currency notes. The Investigating Officer interrogated them and it was transpired that the applicant does the business of purchasing fake currency notes and distributing it in the market. Apparently, the offence is serious. It may affect the economy of the nation. The plea of the applicant that he was unaware of the incident and does not know the co-accused, does not inspire the confidence. The prosecution has an apprehension that if the applicant is not nabbed, he may spread the fake currency notes in the market. The apprehension of the prosecution appears reasonable. The offence alleged against the applicant is serious. Hence, he does not deserve anticipatory bail. In view of the facts of the case, the application stands dismissed.

(S. G. MEHARE, J.)

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