

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3347 OF 2021

Chandrakant Mahadev Mane	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Sameer D. Hatle a/w. Dr. D.S. Hatle for the Applicant.
Ms. A.A. Takalkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 23rd MARCH, 2022.

P. C. :-

. This is an Application under section 439 of Cr.PC. filed by the aforesaid Applicant who is facing trial in Sessions Case No.156/2022 pending before Sessions Judge, Thane for offences punishable under sections 489-A, 489-B, 489-C and 489-D r/w. 34 of the Indian Penal Code.

2. Heard Mr. Sameer Hatle, learned counsel for the Applicant and Ms. A.A. Takalkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The case of the prosecution in brief is that the Applicant along with the other co-accused were found in possession of the counterfeit currency notes. It is alleged that the accused has been using said counterfeit currency notes as genuine notes. The allegations are also made that the Applicant and the other co-accused were involved in the process of making said counterfeit notes. It is also alleged that the co-accused was in possession of the machinery/instrument/material for forging the said counterfeit notes.

4. The records prima facie indicate that the Applicant herein was taken into custody at Sakinaka Circle, Mumbai. He was later brought to Kapurbawadi Police Station and was placed under arrest in presence of panchas. It is stated that the accused was found in possession of the counterfeit currency notes of Rs.4 lakhs. It is to be noted that the accused was not taken into custody in presence of panchas. He was brought to Kapurbawadi Police Station which is stated to be 30 to 35 kms away from Sakinaka Police Station. Furthermore, the accused was not found in possession of any machinery/instrument/material used for said counterfeit notes. There is also no prima facie material on record to indicate that the accused had used the said counterfeit notes as genuine notes. Even otherwise, the charge sheet has already been filed.

The question whether the accused was found in possession of the counterfeit notes, whether he was using the said counterfeit notes as genuine notes and whether he was in possession of the machinery/instrument/material for the purpose of counterfeit notes, will be decided in the course of trial.

5. The Applicant is in custody since last two years. It is stated that though the charge sheet has been filed, the charge is not yet framed. Considering the large pendency of the cases, it will not be possible to complete the trial in near future. The Applicant is stated to be the resident of Thane. Hence, there are no chances of the Applicant absconding and/or thwarting the course of justice. Under the circumstances, the Bail Application is allowed on following terms and conditions :-

- (i) The Applicant who is facing trial in Sessions Case No.156/2022 pending before Sessions Judge, Thane is ordered to be released on cash bail in the sum of Rs.50,000/- (Rupees Fifty Thousand) for a period of four weeks ;

- (ii) The Applicant shall within the said period of four weeks, furnish bail bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two solvent sureties in the like amount.
- (iii) The Applicant shall report to Kapurbawadi Police Station on 1st Monday of month after every two months until further orders;
- (iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (v) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.
- (vi) The Applicant shall co-operate with the conduct of the trial and attend the trial Court on all dates, unless exempted.

6. Bail Application stands disposed of in above terms.

**PREETI
H JAYANI**

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(SMT. ANUJA PRABHUDESSAI, J.)