

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY***  
***CRIMINAL APPELLATE JURISDICTION***  
***CRIMINAL BAIL APPLICATION NO. 1008 OF 2022***

|                            |               |
|----------------------------|---------------|
| Rajesh Chandrabhan Dhillod | ...Applicant  |
| Versus                     |               |
| The State of Maharashtra   | ...Respondent |

Mr. Shripad Hushing i/b Mr. B. A. Aloor, for the Applicant.

Ms. P. P. Shinde, A.P.P for the Respondent-State.

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 9<sup>th</sup> JUNE, 2023***

**P.C. :**

1. Heard learned counsel for the parties.
2. By this second bail application, the applicant seeks his enlargement on bail in connection with C.R.No. 20 of 2019 registered with the Bundgarden Police Station, Pune, for the alleged offences punishable under Sections 489A, 489B, 489C and 489D of the Indian Penal Code.

3. Learned counsel for the applicant submits that the first bail application of the applicant was dismissed as withdrawn as the Court was not inclined to enlarge the applicant on bail in October 2021. He states that the applicant is languishing in jail since 8<sup>th</sup> January 2019 and that till date the trial has not commenced. He further submits that similarly placed co-accused - Alka Rohidas Kshirsagar (original accused No.2), from whom counterfeit notes of about Rs.50,000/- were seized has been granted bail by this Court vide order dated 22<sup>nd</sup> January 2021, passed in Criminal Bail Application No.2502 of 2019.

4. Learned APP does not dispute the fact that co-accused - Alka Kshirsagar has been released on bail and that the evidence against her was also seizure of counterfeit notes of about Rs.50,000/-.

5. Perused the papers. Both the applicant and co-accused - Alka Kshirsagar, were apprehended with counterfeit notes in their possession on 8<sup>th</sup> January 2019. As far as the applicant is concerned,

he was found in possession of counterfeit notes to the tune of Rs.1,17,000/- odd, whereas co-accused - Alka Kshirsagar was found in possession of counterfeit notes of about Rs.50,000/-. Pursuant thereto, the police registered an FIR, as against the said accused, alleging the offences punishable under Sections 489B and 489C of the Indian Penal Code. It appears that in the house search of the applicant's house, counterfeit notes of about Rs.24,000/- odd were seized. During the course of investigation, the police apprehended, some more accused, including accused No.6 – Venkatesh Mudliyar. During investigation, Venkatesh was found in possession of printing machine, screen printing dye, radium, cutting paper etc. Pursuant thereto, the police added Sections 489D and 489A of the Indian Penal Code to the FIR. The applicant's first bail application filed in 2021 was dismissed as withdrawn as the Court was not inclined to enlarge the applicant on bail. It is not in dispute that the applicant is in custody since January 2019 and that till date the trial has not commenced.

6. Learned Counsel for the applicant on instructions also makes a statement that the applicant was an accused in connection with C.R. No. 251 of 2009 registered with the Yerwada Police Station, Pune, for the alleged offences punishable under Sections 323, 427, 143, 147 of the Indian Penal Code and that thereafter except for the present C.R, there are no cases against him. Statement accepted. Similarly placed co-accused - Alka Kshirsagar, from whom counterfeit notes of about Rs.50,000/- were seized has been granted bail by this Court vide order dated 22<sup>nd</sup> January 2021, passed in Criminal Bail Application No.2502 of 2019. The applicant is a resident of Pune and as such has roots in the society. The applicant is in custody since January 2019 and that till date the trial has not commenced.

7. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

**ORDER**

- i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- ii) The applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- 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 co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;

vi) An undertaking to the aforesaid clauses (ii) to (v), shall be filed by the applicant, in the Registry of the trial Court, within two weeks of his release;

vii) If there is a single default either in attending the Police Station or in appearing before the trial Court, or breach of any of the conditions, the prosecution will be at liberty to apply for cancellation of Applicant's bail.

8. The Application is allowed and disposed of in above terms.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

***REVATI MOHITE DERE, J.***