

Urmila Ingale

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

BAIL APPLICATION NO. 2845 OF 2022

Arjun Radhesham Khushwah	..Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. Nikhil M. Pujari, for the Applicant.
Mr. N. B. Patil, APP for State.
PSI-Mr. K.B.Bhise, MFC Police Station, Kalyan present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 4, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP.
2. This is an application for bail in connection with C.R. No. 265 of 2022 dated 03/05/2022 registered with Mahatma Phule Chawk Police Station, Thane for the offences punishable under sections 489A, 489B, 489C, 489D r/w section 34 of the Indian Penal Code ("IPC", for short).
3. Learned APP strongly opposed the application for grant

of bail to the applicant as the offence alleged against the applicant is under sections 489A, 489B, 489C, 489D read with 34 of Indian Penal Code, 1860. Learned APP submitted that the offence committed by the applicant has direct impact on the economy of the country. He submits that the applicant was found in possession of value of Rs.8100/- of counterfeit notes. It is further submitted that the applicant is the resident of Madhya Pradesh and in every possibility he may not attend the trial.

4. In the present case, investigation is complete and charge-sheet has been filed. The applicant was arrested along with two other accused on 03/05/2022 and since then, he is in custody. The applicant is the original accused no. 3 who was found in possession of the counterfeit notes. The main accused is said to be accused no.1 from whom the printing machine and counterfeit notes were recovered. Accused no.1 being juvenile has already released on bail. So far as the applicant is concerned, he was found in possession of counterfeit notes. The search of the residential premises of the applicant was carried out

wherefrom nothing was recovered. Just because the applicant is a resident of Madhya Pradesh can not be a reason to refuse bail to the applicant. The trial is not likely to conclude any time soon in near future and the offence for possession of the counterfeit notes is punishable with maximum term of imprisonment which may extend to 7 years. The investigation is complete and the charge-sheet is filed. The applicant can be released on bail. There are no criminal antecedents against the applicant who is 20 years of age. However, to ensure that the applicant attends the trial regularly, it is necessary to impose conditions and even learned counsel for the applicant on instructions submits that till the trial is over the applicant will reside within the jurisdiction of the Thane district and will not leave the area of Thane district without leave of the trial Court. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) The applicant- Arjun Radhesham Khushwah shall be released on bail in connection with C.R.No. 265 of 2022 registered with Mahatma Phule Police Station,

Thane on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(d) The applicant shall attend the concerned Police Station once a month on the first Sunday of the month between 11.00 a.m. and 1.00 p.m. till the trial is over.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not leave the jurisdiction of Thane District without permission of the trial Court till the trial is over.

5. The application is disposed of.

(M. S. KARNIK, J.)