

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

CRIMINAL BAIL APPLICATION 3083 OF 2022

Saeed Ahmad Fareed Ahmad Ansari	Applicant
Versus	
The State of Maharashtra	Respondent

Mr. Manisha Jadhav i/b Adv. S. K. Kamble for the Applicant.
Mr. Amit A. Palkar, APP, for the Respondent-State.
Ms. Rachana G. Gurule – API, Wagale Estate Police Station, Thane
City present.

CORAM : G. A. SANAP, J.

DATE : 4th NOVEMBER, 2023.

P.C. :

1. The Applicant/Accused arrested under C. R. No. 95 of 2022 registered with Wagle Estate Police Station, Thane for the offences punishable under Section 498-B of the Indian Penal Code, 1860 (for short “IPC”), has made this Application for bail.

2. The learned Advocate submitted that, the Accused has no concern with the manufacture of the counterfeit currency notes. The

learned Advocate submitted that in due course the currency notes came to him and he used the same in good faith as genuine currency notes. The learned Advocate submitted that 13 currency notes of 100 denomination have been recovered. The learned Advocate submitted that, the detention of the Accused is not necessary for custodial interrogation. It is submitted that, he is a poorman having responsibility of a family. The learned Advocate submitted that the Accused is ready to abide by the conditions that may be imposed by the Court.

3. The learned APP submitted that, the main Accused – Irfan Khan is still absconding. It is submitted that there is recovery of counterfeit currency notes from the possession of the Accused. The learned APP submitted that considering the serious nature of crime the Accused is not entitled for bail. It is further submitted that, if the Accused is enlarged on bail then he would pressurize and threaten the prosecution witnesses.

4. It is seen that, as far as this accused is concerned charge-sheet has been filed. The charges are not yet framed. The Investigating Officer as can be seen from the record has not taken

concrete steps to arrest the main Accused - Irfan Khan. It was the duty of the Investigating Officer to arrest Irfan Khan to go to the root of the crime. The Investigating Officer is required to take urgent steps to arrest the Accused – Irfan Khan. The Accused has been in custody for last more than 1 ½ years. It is undisputed that 13 counterfeit of currency notes of 100 denomination were recovered from the possession of the Accused.

5. It is the defence of the Accused in due course, the currency notes came into his possession. He used the same in good faith believing the same to be genuine. As far as, this Accused is concerned investigation is over. Charge-sheet has been filed. The trial may take its own time for completion.

6. In my view, therefore, the Accused is required to be released on bail. The apprehension put forth by the learned APP can be taken care by imposing appropriate conditions. Hence, I pass following order.

ORDER

- i. The application is allowed.
- ii. Applicant – Saeed Ahmad Fareed Ahmad Ansari, be

released on bail in Connection with C. R. No. 95 of 2022 registered with Wagle Estate Police Station, Thane on furnishing P.R. Bond to the extent of Rs.50,000/- with one or two sureties in the like amount.

- iii. The applicant shall not tamper with the prosecution evidence and/or threaten or induce the first informant and any other prosecution witness/es.
- iv. The applicant shall report at Wagle Estate Police Station, Thane on first day of every month between 11:00 a.m. to 2:00 p.m. till the completion of the trial.
- v. Applicant shall not indulge in commission of such crime.

(G. A. SANAP, J.)