

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 70/2023

Girish s/o Nandkishor Rathi .vs. State of Maharashtra, through PSO PS. Tahsil,
Nagpur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. Bhende, Advocate holding for Mr. S. P. Bhandarkar,
Advocate for applicant.

Mr. N. R. Rode, A.P.P. for non applicant no.1.-State.

Mr. H. R. Gadhia, Advocate for intervenor.

CORAM : ANIL L. PANSARE, J.

DATE : MARCH 3, 2023.

On 13.02.2023, following order was passed:

“3. *Learned advocate for the informant submits that the accusation against the applicant is that he has trafficked bank note amounting to ₹ 30 lakhs.*

4. *Learned advocate for the applicant submits that when First Information Report was lodged by the informant, alleged counterfeit notes were not produced, rather he sought time to produce counterfeit note.*

5. *Learned Additional Public Prosecutor submits that counterfeit notes have been seized from the informant and forwarded to Currency Note Press, Nashik for analysis. He seeks time to file additional affidavit.*

6. *Stand over to 17.02.2023.*

7. *In the interregnum, in the event of arrest in Crime No.768/2022 registered with Police Station Tahsil, Nagpur City, District Nagpur for an offence punishable under Sections 406, 420, 489-B, 489-C read with Section 34 of the Indian Penal Code, applicant-Girish s/o Nandkishor Rathi, be released on bail on he furnishing PR. Bond in the sum of 50,000/- with one or two solvent surety in the like amount.*

8. *The applicant shall attend concerned Police Station on 14, 15 and 16.02.2023 between 11:00 a.m. and 02:00 p.m.*

9. *The applicant shall cooperate with the Investigating Officer.*

10. *The applicant shall not obstruct or hamper the police investigation and shall not play mischief with the evidence collected or yet to be collected by the Police.”*

2. Learned A.P.P. on instructions from the investigating officer who is present before Court, submits that custodial interrogation of the applicant is not necessary.

3. In view of above and for the reasons stated in order dated 13.02.2023, following order is passed.

ORDER

(i) The application is allowed.

(ii) In the event of arrest in Crime No.768/2022 registered with Police Station Tahsil, Nagpur City, District Nagpur for an offence punishable under Sections 406, 420, 489-B, 489-C read with Section 34 of the Indian Penal Code, applicant-Girish s/o Nandkishor Rathi, be released on bail on he furnishing PR. Bond in the sum of 50,000/- with one or two solvent surety in the like amount.

(iii) The applicant shall attend the concerned Police Station, as and when directed by the investigating officer, till filing of the charge-sheet and shall cooperate in the investigation.

(iv) The applicant shall, at the time of execution of bond, furnish his address and telephone/mobile number(s) to the Investigating Officer and to the Court concerned and shall not change the same till the final disposal of the case.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.

(vi) The applicant shall not obstruct or hamper the police investigation and shall not play mischief with the evidence collected or yet to be collected by the Police.

(vii) The applicant shall surrender his Passports, if any, before the investigating officer within a period of one week from today. If he does not possess any passport, he shall file an affidavit to that effect.

(viii) The applicant shall maintain law and order.

The application is disposed of.

(Anil L. Pansare, J.)

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