

42.
21-06-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 1854 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No.1828 of 2023 dated 21-12-2023 under Sections 489B/489C of the Indian Penal Code.

- A n d -

In the matter of : Mahidul Biswas

.... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman

... For the Petitioner.

Mr. Sandip Chakraborty,
Ms. Pallavi Priyadarshee

... For the State.

The charge is under Sections 489B and 489C of the Indian Penal Code. 196 pieces of fake Indian currency of the denomination of Rs.500/- each, were allegedly recovered from the trouser pockets of the petitioner.

The petitioner says that the charge under Section 489B will not lie as he did not sell or buy or receive from any other person or otherwise traffic in or use as genuine any forged or counterfeit currency. He was only in possession of such fake currency. He says that he is in custody for 180 days. Charge sheet has been submitted. His further custodial detention is unnecessary.

Learned advocate for the State says that the petitioner actually received the fake currency from one Morjem @ Saddam Hossain, who is absconding. He says that supplementary charge sheet will be issued against him. The case is squarely covered under Section 489B of the Indian Penal Code.

We have considered the material in the Case Diary. There appears to be *prima facie* incriminating evidence

against the petitioner. We are not inclined to grant bail to the petitioner, at this stage.

The application for bail being CRM (DB) 1854 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)