



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 72 OF 2024**

JANARDHAN DHONDIBA JILEWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Y. B. Pathan, Advocate for Applicant

Mr. N.B. Patil, APP for Respondents/State

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**CORAM : NITIN B. SURYAWANSHI, J.**

**DATE : 07<sup>th</sup> MARCH, 2024**

**PER COURT :**

1. Applicant apprehends arrest in C.R. No.151/2023, registered with Malakoli Police Station, Dist. Nanded, for offence punishable under Sections 489-B, 489-C, 420 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Babasaheb Paraji Thore, Assistant Police Inspector, Anti-Terrorist Squad, Nanded, alleging that secret information was received that Gangadhar Tukaram Gaikwad r/o Shahaji Nagar, Bhosi Road, Kandhar, is assured by applicant Janardhan Jilewad to give counterfeit notes of Rs.6,50,000/- in exchange of genuine currency of Rs.2,00,000/-. Applicant has assured that his notes appear genuine and can be used in market as well as bank and he has given said counterfeit notes to many people. Accordingly informant contacted Gangadhar Gaikwad. He confirmed said secret information. Applicant was introduced to

Gangadhar Gaikwad by an acquaintant Sambhaji r/o Aabulaga. Applicant's cell phone number was given to Gangadhar. On 08/10/2023, applicant contacted Gangadhar and asked him as to how much amount he is bringing. Gangadhar told him that it is difficult to believe him, therefore, applicant should give some counterfeit notes by way of sample to him, which he will use in market. Accordingly, at 02:00 p.m. applicant gave him three notes of Rs.100/- denomination and told that if you apply limestone the notes turn pink. Gangadhar used those notes in market, they were genuine. Applicant contacted Gangadhar and asked him as how much amount he is bringing and where he would be coming. Gangadhar told him that he is at Loha and he will be bringing Rs.2,00,000/-. When asked, applicant told Gangadhar that he will give him counterfeit currency worth Rs.6,50,000/- and told him to reach at Malegaon Yatra. Informant laid a trap. Accordingly raiding party along with Gangadhar went to Banvas Phata at Malegaon Yatra. Applicant called Gangadhar and told him that he has sent one person with a bag containing Rs.6,50,000/- of counterfeit notes and Gangadhar should hand over Rs.2,00,000/- to him. At about 15:00 Hrs. one person came near Gangadhar and gave bundle of notes wrapped in paper. At that time, he was caught by the raiding party and he disclosed his name as Akash Uttam Sawant, resident of Bhuktekarwadi, Tal. Ahamadpur, Dist. Latur. Informant, therefore lodged FIR against applicant and co-accused Akash Uttam Sawant.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.

4. Learned advocate for applicant submits that applicant has no criminal antecedents and counterfeit notes allegedly used in the crime are already recovered. So also, co-accused is arrested and he has disclosed applicant's name. The statement of co-accused is not admissible in the evidence and therefore, there is no material against applicant and he may be released on bail.

5. Learned APP, on the other hand, by relying on investigation papers submits that custody of applicant is necessary for effective investigation.

6. It is clear from FIR that applicant was in constant touch with Gangadhar Gaikwad on cell phone and was giving him instructions to bring amount of Rs.2,00,000/- and that he would be giving him counterfeit notes of Rs.6,50,000/- denomination. All along applicant was assuring that he has given counterfeit notes to so many persons and those can be used in market as well as bank and nobody can recognize that they are fake. To win confidence of Gangadhar applicant has given three genuine notes of Rs.100/-. At the time of raid, applicant has sent co-accused Akash to deliver counterfeit notes and bring genuine currency of Rs.2,00,000/-. Co-accused has confirmed the said fact of involvement of applicant in present crime.

7. There is sufficient material on record to show involvement of applicant in serious offence of counterfeiting currency notes. For effective investigation his custodial interrogation is necessary. Applicant is, therefore, not entitled for discretionary relief of anticipatory bail.

8. In the result, application is rejected.

**(NITIN B. SURYAWANSHI, J.)**