



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

950 BAIL APPLICATION NO. 2012 OF 2024

PRAVIN SHRIHARI GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr.S.J.Salunke
APP for Respondent-State : Mr.A.A.A.Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 27.11.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested in connection with Crime No.188/2024, registered with Beed (City) Police Station, Beed for the offence punishable under Sections 318 (4), 179, 180, 181, 182, 152 of Bharatiya Nyaya Sanhita & Sections 3 and 25 of the Arms Act.

3] The learned counsel for the applicant submits that the accused, namely, Akash Jadhav has printed the fake currency notes and the same is supplied by Manish to the applicant, who is the student of Engineering, 7th Semester. The learned counsel further submits that the applicant was found in possession of fake currency notes of Rs.8500/-

along with pistol. The applicant has made statement that the fake currency notes and the country pistol belongs to Manish and the said currency notes were not circulated in the market. The learned counsel further submits that the applicant is student and the applicant is in custody from 19th September, 2024. He further submits that the further detention of the applicant in the custody would result in his education being affected. The applicant is made statement before the Police that the currency notes were visibly fake and the same were kept in the box at the room without being circulated in the market.

4] Considering that the applicant is student and there are no antecedents and that he is in custody from 19th September, 2024, so also, the judgment of this Court in the case of **Rahul Dinkar Vachkal Vs. State of Maharashtra** reported in **2020 SCC OnLine Bom 11552**, decided on 22nd December, 2020, so also, the judgment of this Court in the case of **Premkumar Karnaram Choudhary Vs. State of Maharashtra** reported in **2017 SCC OnLine Bom 3352**, decided on 14th March, 2017, I deem it appropriate to grant regular bail in favour of the applicant. It is brought to my notice that the judgments cited above under Section 489 (C) of the Indian Penal Code when the offences for possession of fake currency were bailable and now corresponding Section 180 of the Bharatiya Nyaya Sanhita is non-bailable.

5] Considering the submissions above, more particular that the applicant was found in possession of fake currency and not while circulating it and that there are no antecedents against the applicant and he being a student, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.188/2024, registered with Beed (City) Police Station, Beed for the offence punishable under Sections 318 (4), 179, 180, 181, 182, 152 of Bharatiya Nyaya Sanhita & Sections 3 and 25 of the Arms Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC