

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

BAIL APPLICATION NO.4119 OF 2025

Aayub @ Bogha Usmanbhai Bikhaliya ...**Applicant**

Versus

State of Maharashtra ...**Respondent**

Mr. Vikas Shivarkar, *for the Applicant.*

Ms. Manisha R. Tidke, *APP for the Respondent - State.*

PSI – Shivaji Khade, Kashimira Police Station, present.

CORAM DR. NEELA GOKHALE, J.

DATED: 10TH NOVEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.568 of 2024 dated 15th November, 2024 registered with the Kashimira Police Station, for the offences punishable under Sections 180 and 179 of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

2. The facts of the present case, in brief, are that on an information received by the police, that one person was carrying fake currency notes and was to come near Don Bosco School at Mira Road Park, Kashimira Police Station team laid

a trap and as per the information at about 03:20 p.m. one person with description as given to the police came along carrying a bag. The said person was Accused No.1 – Aryan Kaluram. He was apprehended and after following due process of law, his bag was searched and seized. Bag contained 53 bundles of Indian currency notes of Rs.500/-. Co-accused was unable to give explanation in respect of said currency notes. In all there were 10352 currency notes recovered from said bag. Accordingly, the FIR was registered and pursuant to which the Accused No.1 was arrested by the Central Crime Branch Unit and thereafter his custody was transferred to Kashimira police station. On disclosure made by the Accused No.1 on 18th November, 2024 police were led to the present Applicant. Accused No.1 gave a statement to the effect that he alongwith the present Applicant have printed fake currency notes of Rs.500/- on two colour xerox machines. Pursuant to this disclosure statement two colour xerox machines were recovered. Accordingly, police arrested the present Applicant on 2nd December, 2024.

3. The Applicant filed a bail application before the Additional Sessions Judge, Thane, however, by order dated 26th March, 2025, said bail application was rejected. Hence, the Applicant has filed the present bail application for the relief as prayed.

4. Mr. Shivarkar, learned counsel for the Applicant, submits that there was nothing recovered from the present Applicant and it is only from the statement of co-accused that the present Applicant has been implicated in the present crime. He submitted that the Applicant had no knowledge about the purpose of printing the notes. He has brought to my notice the ingredients of Section 180. He submits that the maximum punishment for having committed an offence punishable under Section 180 is seven years, the Applicant already having undergone eleven months of incarceration. He thus, prays that the Applicant be released on bail.

5. Per contra, Ms. Tidke, learned APP, representing the State, brought to my attention the statement of an eye witness

dated 7th December, 2024. The said eye witness is a friend of the Accused No.1. He has stated that when he went to meet the Accused No.1 in the basement of his house, situated at Plot No.67, Street No.05, Sarita Society, Bhavnagar, he found that the Accused No.1 – Aryan and the present Applicant were busy printing notes of Rs.500/- on a xerox machine. When he tried to convince them not to commit any illegal act, Accused No.1 – Aryan asked him to leave. Ms.Tidke also points to the panchanama dated 21st November, 2024, which records that two xerox machines were recovered from the person to whom Accused No.1 had sold the said machines. Ms.Tidke also submits that the Applicant has antecedents in respect of a similar offence alleged to have been committed by him in Gujarat. She submits that the Applicant has committed the present offence while on bail in the previous offence and hence it is likely that he may commit similar offence again. She submits that offence is serious and hence the Application be rejected.

6. I have heard learned counsels for respective parties and perused the material on record with their assistance.

7. The present case raises grave concerns regarding the involvement of accused persons in the distribution and circulation of counterfeit currency notes. A plain reading of the statement of the eye witness clearly establishes presence of the Applicant alongwith Accused No.1 – Aryan in the basement of the flat where they were caught in the act of printing fake currency notes of Rs.500/-. Admittedly, the Applicant is on bail in similar offence alleged to have been committed by him in Gujarat. The xerox machines were recovered pursuant to disclosure statement made by Accused No.1 from the persons to whom they were sold. The Applicant was arrested on 2nd December, 2024 and it is not a case where the Applicant has suffered long incarceration nor such that his fundamental right is violated. The offence is serious affecting the economy of the country.

8. The illicit activities surrounding the supply and circulation of counterfeit currency notes pose multifaceted risks to both the economy and individuals within society. There is no gainsaying that proliferation of counterfeit currency facilitates various forms of illicit activities, including money laundering, terrorism financing, and organised crime. Criminal syndicate often use counterfeit money to fund their operations, launder illicit proceeds, and finance illegal activities such as drug trafficking, human trafficking, and arms smuggling.

9. It is further observed that individuals who unknowingly come into possession of counterfeit currency also face significant risks and repercussions. Innocent consumers and businesses may unknowingly accept counterfeit money and transactions, only to later discover that they have been defrauded or cheated. This can lead to financial losses, legal liabilities, and damage to reputations, particularly for businesses that unwittingly accept counterfeit currency as payment for goods or services.

10. Resultantly, the supply and circulation of fake currency notes represents a serious threat to the economy, national security, and individual well being. Therefore, it is crucial for the Courts to deal with such cases with stern hand.

11. In these circumstances, I am not inclined to grant bail to the Applicant.

12. Bail Application is rejected.

13. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)