



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

BAIL APPLICATION NO. 236 OF 2026

PRAKASH PARAJI KHADE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Sudarshan J. Salunke

APP for Respondents : Mr. A. R. Kale

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 23-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.0465 of 2025 dated 04.10.2025 registered with Police Station Ashti, District Beed, for the offences punishable under Sections 178, 180 and 3(5) of the *Bhartiya Nyaya Sanhita (BNS)*, 2023. In the said crime, the applicant was arrested on 04.10.2025. Upon completion of the investigation, the chargesheet is filed on 20.12.2025.

2. According to the prosecution's case, the informant received secret intelligence regarding the transport of counterfeit currency. Acting on this information, the informant, accompanied by staff and independent panch witnesses, moved to a location behind Hambarde College, Ashti. Approximately at 13:40 hours, observed the applicant approaching the area on a scooter. Upon

intercepting the applicant, a personal search was conducted in the presence of the witnesses, which resulted in the recovery of 64 counterfeit currency notes in denominations of Rs. 500/-. During subsequent inquiry, the applicant disclosed that the forged notes were obtained from his uncle, Shriram Wahatule, who had allegedly procured them from co-accused individuals in Pune. The investigation was then expanded, leading to the arrest of further co-accused persons across Pune and Karnataka State. Consequently, this report has been filed to document the seizure and the applicant's involvement in an organized network for the circulation of counterfeit currency.

3. Learned counsel for the applicant submits that the mere possession of counterfeit notes does not constitute an offence under Section 489C of the IPC unless it is proven that the applicant had specific knowledge or "reason to believe" the notes were forged. It is submitted that the applicant is a victim of circumstances, having received the notes from a relative (Shriram Wahatule) without any knowledge of their character or intent to defraud the public. The investigation is complete and the charge-sheet is also filed. Nothing remains to be recovered at the instance of applicant. Hence, prayed to allow the application.

4. The learned APP for respondent/State has opposed the application and submitted that the applicant was apprehended in

possession of a significant quantity of counterfeit currency (64 notes of Rs. 500/- denomination). Such offences are not merely individual crimes but constitute a serious threat to the national economy and financial stability. If the applicant is enlarged on bail, there is every possibility of tampering with the prosecution evidence and possibility of offence being repeated. Hence, prayed to reject the application.

5. Upon considering the submissions of litigating sides and perusing the material on record, including the charge-sheet, it is evident that there is recovery of 64 counterfeit notes from the applicant's possession. While the prosecution seeks to invoke Section 489B (Trafficking/Using), the material prima facie on record primarily points towards Section 489C (Possession).

6. At this prima facie stage, there is a conspicuous absence of material to indicate and establish that the applicant possessed the requisite knowledge or reason to believe that the recovered notes were forged. The record is further prima facie devoid of any overt act or evidence of specific intent to use the currency as genuine or to pass it into circulation.

7. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and

concluded within a reasonable period. The arrest of the applicant is effected on 04.10.2025 and since then, he is in jail.

8. As such, further incarceration, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant. The apprehension expressed by the learned APP and the learned counsel for informant about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

9. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant, Prakash Paraji Khade, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only), with one solvent surety of the like amount in Crime No.0465 of 2025 dated 04.10.2025 registered with Police Station Ashti, District Beed, for the offences punishable under Sections 178, 180 and 3(5) of the *Bhartiya Nyaya Sanhita (BNS)*, 2023, on the conditions that;
 - (a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

- (c) The applicant shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE

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