

HIGH COURT OF MADHYA PRADESH,

BENCH AT INDORE

MCRC NO.53027/2020

*Nimesh Jain s/o Narendra Kumar jain vs. State of M.P*

13.01.2021: (INDORE):

Shri Varun Tankha, learned counsel for the applicant.

Ms.Poorva Mahajan, learned Panel Advocate for the respondent/State.

Heard learned counsel for the parties through video conferencing.

This is second repeat bail application filed under section 439 Cr.p.C seeking bail in connection with Crime No.192/2020 registered at police station Kishanganj, district Indore for the offence punishable under sections 489-A, 489-B, 489-C, 120-B & 201 of the IPC. The first application was dismissed as withdrawn on 14.07.2020 in MCRC no.21235/2020.

As per prosecution story, on 17/03/2020, the police received secret information, that Firoz Khan, Akram Mansoori, Golu @ Shahzad, Shriram Gupta, Sunil and Ramzan Manxoori are in business of printing fake currency in the denomination of Rs. 2000/-, Rs.500/- and Rs.200/-. Out of them, accused Firoz, Akram and Golu @ Shahzad are going to circulate in the market. They were found near Rajput Dhaba along with large quantity of the fake currency. Panchanama was prepared and raid was conducted, in which, they were found in possession of large

quantity of fake currency. Thereafter, the police conducted search in the house of Akram and in the house, printer, laptop and some fake currency were found.

Learned counsel for the applicant submits that the present applicant has been implicated on the supplementary memorandum statement of Firoz recorded on 19.03.2020. His first statement was recorded on 18.03.2020 in which he has not named the present applicant. Thereafter, police has recovered fake currency of Rs.10,000/- from his possession. Except the said recovery, no incriminating material has been recovered by the police from his possession. At the most the applicant committed an offence punishable under sections 489-C & 489-E of the IPC and both the offences are bailable. In identical facts and circumstances, bail was granted to the co-accused Ramzan on 16.12.2020 in MCRC No.49117/2020, hence prays for release of the applicant on bail during trial.

Learned Panel Advocate opposes the bail application.

Perused the case diary.

Considering the facts and circumstances of the case and the arguments advanced by the learned counsel for the applicant, without commenting on the merit of the case the application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lakh) with one solvent surety of the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during trial with a

condition that he shall remain present before the Court concerned during trial and shall also abide by the conditions enumerated under section 437(3) Cr.P.C.

Before releasing the applicant from the custody the jail authorities are directed to medically examine him in order to rule out the possibility of COVID-19 infections and shall comply with the direction given by the Hon'ble Apex Court in Writ Petition No. 1/2020.

C.c as per rules.

(VIVEK RUSIA)  
JUDGE



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