

IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 28th OF JUNE, 2022

MISC. CRIMINAL CASE No. 29145 of 2022

Between:-

**ANIL S/O JAGDISH , AGED ABOUT 29 YEARS, OCCUPATION:
LABOUR TARAGANJ, SARANGPUR (MADHYA PRADESH)**

.....PETITIONER

***(SYED ASIF ALI WARSI, LEARNED COUNSEL FOR THE
PETITIONER)***

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER
THROUGH POLICE STATION KHILCHIPUR, (MADHYA
PRADESH)**

.....RESPONDENTS

***(PROXY COUNSEL AG-SHRI RAHUL SOLANKI APPEARING ON
BEHALF OF ADVOCATE GENERAL)***

*This application coming on this day for orders the court
passed the following:*

ORDER

Applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure, 1973. He is in jail since

08.03.2022 in connection with Crime No.117/2022 registered at P.S. - Khilchipur, District Rajgarh (M.P.) for commission of offence punishable under Sections 489-A, 489-B, 489-C, 489-D and 109 of IPC,1860.

As per the prosecution story, on the basis of discrete information from the informer, Police recovered some counterfeit notes from the possession of co-accused persons namely Ajay, Suraj and Raju. The statement of the aforesaid accused persons were recorded under Section 27 of Evidence Act, on the basis of which the present applicant was arrested and from his possession counterfeit note of Rs..200/- has been seized. Accordingly offence has been registered against the accused persons.

Learned counsel for the applicant contended that applicant is innocent and he has been falsely implicated in this matter. He is in custody since 08.03.2022. The seized currency notes were sent to FSL for its examination but the report is not yet received. Applicant is permanent resident of District Rajgarh and there is no possibility of his fleeing away from the court of justice. Investigation is over and charge sheet has been filed. He also contended that co-accused Avinash has been enlarged on bail by this court by order dated 21.6.2022 passed in M.Cr.C. No. 27784/2022, therefore, on the ground of parity, applicant also deserves for bail.

Per-contra, learned Govt. Advocate for respondent/State opposes the bail application and prays for its rejection.

Perused the case diary as well as the impugned order of the court below.

Considering all the facts and circumstances of the case, arguments advanced by counsel for the parties, nature and gravity of allegation as also taking note of the fact that applicant is in custody since 08.03.2022, investigation is over, charge sheet has been filed, co-accused Avinash has been enlarged on bail final conclusion of trial will take considerable long time, I deem it proper to release the applicant on bail on the ground of parity.

Accordingly, without commenting on the merits of the case, the application is allowed. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One lakh only) with one solvent surety in the like amount to the satisfaction of the trial Court for his appearance before the trial Court, as and when required. He shall abide by the conditions enumerated u/S. 437(3) Cr.P.C.

Certified copy, as per Rules.

(ANIL VERMA)
J U D G E