

Session Case No. 04/2022

C.N.R.No. MHRG010000802022.

The State of Maharashtra

Vs.

Jaydeep Ajit Ghase & Ors.

ORDER Below Exh. 5

This is the first application for bail Under Section 439 of the Code of Criminal Procedure, 1973 by accused/applicant Jaydeep Ajit Ghase in connection with C.R.No.151/2021 registered by Alibag Police Station, for the offence punishable under section 489-A, 489-B, 489-C, 489-D, 489-E read with 34 of Indian Penal Code.

02. Perused the application and say given by police at Exh.6.

03. Heard advocate Shri. P. M. Thakur for the applicant and learned APP Shri. Pandkar for the State.

04. Advocate Shri. Thakur has argued that the applicant is falsely implicated in the crime. The investigation is over and charge-sheet is filed by police. It is not the case where a criminal conspiracy of higher level was hatched. Co-accused are released on bail. The magnitude of offence is small. Applicant is young & he deserves an opportunity to correct himself. The applicant is permanent resident of Alibag. He has no criminal antecedents.

He is ready to abide condition imposed by the Court.

05. While opposing the bail APP Shri. Pandkar argued the offence in question is serious, punishable with life imprisonment. The applicant is the principal accused. The property, including fake currency notes at laptop, printer etc. where seized from his house. The informant has identified applicant in TIP. The offence in question is one which has affected the economy of the country. Therefore, applicant is not entitled for bail.

06. The investigation is over & charge-sheet is filed by Police. It is clear from the material on record that informant Ashok, a onion trader, gave report against two unknown persons who alleged to have purchased onions from him worth Rs.2,200/- by tendering him counterfeited currency notes. In the investigation first present applicant who is accused No. 1 and accused No. 2 were arrested. In TIP informant identified them. The house from where applicant and accused No. 2 were arrested is owned by applicant. It was applicant who circulated the fake currency notes for purchase of onion.

07. Prima-facie there is sufficient material to connect applicant with the crime. However, now the investigation is over and charge-sheet is filed. It is not case of the police that applicant and co-accused had hatched the conspiracy to print fake currency notes at greater magnitude, they ran a syndicate, and, printed and circulated fake currency note at large level. There is nothing to show that applicant has criminal antecedent. Co-accused are released on bail. Under these circumstances having regard to the evidence on record, magnitude of offence

and the date since when the applicant is behind bar, I find applicant can be enlarged on bail. Hence, I pass following order.

ORDER

The bail application of accused/applicant Jaydeep Ajit Ghase in connection with C.R.No. 151/2021 registered by Alibag Police Station, for the offence punishable under section 489-A, 489-B, 489-C, 489-D, 489-E read with 34 of Indian Penal Code is allowed and he is released on bail on executing P. R. bond of Rs.25,000/- with one surety of like amount on following conditions ;

- I) He shall not tamper prosecution evidence.
- ii) He shall co-operate in the investigation.
- iii) He shall attend the Court regularly during trial.
- iv) He shall not repeat the crime.

Alibag.

(Aniruddha Y. Thatte)

Date : 11/02/2022. Additional Sessions Judge, Alibag-Raigad.

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno/ Jr Clerk, P R Mhatre

~~Stenographer (H.G.)~~ Jr Clerk

Name of Court Shri. A. Y. Thatte, District Judge-2, Raigad-Alibag.

Date of Order 11.02.2022.

Order signed by PO on 11.02.2022.

Order uploaded on 11.02.2022.