

ORDER BELOW EXH. 21 IN SESSIONS CASE NO. No. 137/2018
(State of Maharashtra Vs. Ganesh Lahu Bhondave)

1) Present bail application is preferred by applicant no. 3 Ganesh Lahu Bhondave, under section 439 of Criminal Procedure Code, 1973 seeking his release from arrest under C.R. no. 250/2018 registered on 14/06/2018 at Shahupuri Police station, Satara, at the instance of Ramchandra Manohar Gurav, a Police Head Constable, attached to LCB, Satara, for alleged commission of offences punishable under sections 489-B, 489-C, 489-D and 489-E read with 34 of Indian Penal Code, 1860.

2) Applicant's advocate has contended that, FIR is false and frivolous, atleast is doubtful, as panchas names and station diary entry numbers are not mentioned in the FIR. So called raid is doubtful, as nothing could be recovered from this accused. Panchas are interested persons. There is no general dairy entry about panchas being called or of the police getting any secret information, or the police proceeding for raid.

3) Applicant's advocate contended that, applicant is a young boy in his teens and is falsely implicated in the offence. No article is seized from him. Articles seized from other accused, like scanners, printers are materials of common use, hence cannot be said to be used for printing fake currencies.

4) It is contended that, investigation in the offence is already completed, charge-sheet being filed, there is change in circumstance, entitling bail to the accused. Most of the offences charged being bailable, accused are required to be released on bail. It is also contended that, this accused was not found with any counterfeit currency in his possession. Other accused found with counterfeits are released on bail. Offence charged against this accused being meager as compared to those accused, also entitles

this accused to be released on bail. Accordingly, bail is contended.

5) Bail application is resisted by APP by filing his say at Exh. 24 on the grounds that, present accused is arrested as being involved in possessing and putting into circulation fake Indian currency. Accused's prima-facie involvement is transpired in the offence, hence charge-sheet is also filed against this accused. It contended that, the entire modus involved a huge racket of taking property on rent, printing fake currency notes and putting them in circulation. Scanners, colour printers and other articles used by accused for printing fake notes are seized.

6) It is contended that, in case of release on bail, repetition of similar offence, pressurizing the witness or tampering the evidence cannot be ruled out. Accordingly, contended for bail to be rejected.

7) Upon hearing both the advocates, perusing the papers submitted on record, it appears that, applicant is arrested, allegedly putting fake currencies in circulation. It appears that, charge-sheet is filed, revealing the investigation to be completed. Most of the offences charged are bailable in nature. It is uncertain as to when the trial shall commence and conclude. In such circumstances, it appears that no purpose shall be served by keeping the accused arrested any further. At the same time, APP's apprehension are also to be taken care of. Hence, the following order.

ORDER

- 1) Application Exh. 21, is allowed.
- 2) Accused no. 3 Ganesh Lahu Bhondave, be released on bail from his arrest, under C.R. no. 250/2018 registered at Shahupuri Police Station, Satara on his furnishing personal bond of Rs. 50,000/- (Rs. Fifty Thousand only) with two or more

solvent surety/ies to make up the bail amounts, on following terms and conditions:-

- a) Accused be released from arrest if not required in any other offence.
- b) Accused shall not tamper with any evidence.
- c) Accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any Police Officer.
- d) Accused shall make available himself and co-operate for interrogation by Police Officer, as and when required.
- e) Any default of above conditions shall be ground for cancellation of bail.
- f) Bail before lower Court.

Place : Satara
Date : 22nd November, 2018.

(Y. H. Ameta)
Addl. Sessions Judge
Satara