



2026:CGHC:19065-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 652 of 2026**

Domendra Mahipal S/o Lt. Sanat Mahipal Aged About 31 Years R/o
Village-Ausar, P.S.- Ranitarai, District-Durg (Cg)

... Appellant(s)**versus**

State Of Chhattisgarh Through-Station House Officer, P.S.- Saraipali,
District- Mahasamund (Cg)

... Respondent(s)

For Appellant(s) : Mr. Jitendra Chandrakar along with Mr. Tarun
Naik, Advocates

For Respondent(s) : Mr. Saumya Rai, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Bibhu Datta Guru, Judge****Order on Board****Per Ramesh Sinha, Chief Justice****25.04.2026**

1. Heard Mr. Jitendra Chandrakar along with Mr. Tarun Naik, learned counsel for the appellants with NOC as well as Mr. Saumya Rai, learned Deputy Government Advocate appearing for the respondent/State.



2. The appellant has preferred the present second bail application under Section 21(4) of the National Investigation Agency Act, 2008 arising out of Crime No. 39/2024 registered at Police Station- Saraipali, District- Mahasamund (C.G.), seeking enlargement on bail in connection with the alleged offence punishable under Sections 489B and 489C read with Section 34 of the Indian Penal Code, which are treated as scheduled offences under the NIA Act. It is alleged that the appellant, along with other co-accused persons, was involved in the circulation and printing of counterfeit Indian currency notes, thereby committing the aforesaid offences.
3. The prosecution case, in brief, is that on 31.01.2024, on the basis of secret information, the police authorities intercepted a vehicle bearing registration No. CG-13 AU/4670 near Agrasen Chowk, Saraipali, and allegedly recovered counterfeit currency notes amounting to Rs.3,80,00,000/- from one co-accused Arun Sidar. It is further alleged that the appellant was subsequently implicated in the offence. After completion of investigation, charge-sheet was filed on 16.07.2024, however, the appellant was arrested only on 24.06.2025. His application for regular bail was dismissed by the learned Special Judge (NIA Act), Bilaspur (C.G.) vide order dated 23.02.2026, which is under challenge in the present proceedings.
4. Learned counsel for the appellant submits that his first bail application seeking bail, arising out of the same crime, was



dismissed vide order dated 03.09.2025 in CRA No. 1585/2025. It is submitted that the said order has attained finality and is being relied upon for the purposes of the present proceedings.

5. Learned counsel for the appellant submits that a perusal of the First Information Report in Crime No. 39/2024, Police Station- Saraipali, District- Mahasamund (C.G.) would reveal that the name of the present appellant is not specifically mentioned therein, and he has not been assigned any direct role in the alleged offence. Rather, his implication has been made subsequently only on the basis of memorandum statements of co-accused persons, without any independent incriminating material or recovery being made from his possession, and therefore his implication is purely presumptive and not supported by cogent evidence. Furthermore, the co-accused on the basis of whose memorandum statement the present appellant has been arrested has already been acquitted by the trial Court. He later submits that the impugned order dated 23.02.2026 is contrary to law and facts and suffers from non-application of judicial mind, as the learned Special Judge has failed to consider that the appellant was arrested after an inordinate delay of about one and half years from the date of incident, despite no allegation of absconding, and that the entire charge-sheet does not disclose any seizure of counterfeit currency from the appellant, thereby rendering his continued incarceration unjustified. It is further submitted that though the charges were framed against the present appellant on



25.09.2025, but none of the prosecution witness has appeared to give the evidence as such, the appellant is languishing in jail since 24.06.2025, hence he prays for grant of bail to the appellant.

6. On the other hand, learned Deputy Government Advocate appearing for the respondent/State opposes the bail application and submits that the appellant was absconding when the trial for co-accused commenced and further though the co-accused on who memorandum the appellant is arrested has been acquitted, the same cannot be a ground to release the appellant on bail as trial against the present appellant is yet to be concluded.
7. We have heard learned counsel for the parties and perused the impugned bail rejection order.
8. Learned Special Judge (NIA), Bilaspur, District Bilaspur while rejecting the bail application of the appellant has observed that prima facie the allegations pertain to serious economic offences involving circulation and dealing in counterfeit currency notes, which are of a grave nature affecting the financial system of the country. It has been noted that the appellant's involvement is reflected from the memorandum statements of co-accused persons, and the case relates to offences under Sections 489B and 489C read with Section 34 of the IPC, which are treated as serious scheduled offences under the NIA Act, 2008.
9. Considering the submissions advanced by learned counsel for the parties, further considering the nature of allegations levelled



against the appellant and finding recorded by learned Special Judge, (NIA) Bilaspur while rejecting the bail application of the appellant, moreover, the appellant, during the pendency of trial absconded and his trial was separated from the co-accused who has been acquitted, hence if he is allowed bail, then there is every likelihood that he would abscond again. As such, we do not find any good ground or change in circumstances to entertain this second bail application.

10. Accordingly, criminal appeal being devoid of merit is liable to be and is hereby **dismissed**.
11. However, considering the fact that charges have been framed against the appellant on 25.09.2025 and though the case is fixed for prosecution witnesses, they are not appearing for recording of their statement, the Director General of Police, Raipur, Chhattisgarh is directed to ensure that the presence of witnesses summoned by the trial Court for appearance. Further, the trial Court is directed to conclude the trial as expeditiously as possible, within a period of six months, in accordance with law from the date of production of certified copy of this order and shall not grant any unnecessary adjournment to either of the parties.

Sd/-

(Bibhu Datta Guru)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice