

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1212 of 2018**

1. Rajendra Tandan S/o Radhe Tandan, Aged About 32 Years, R/o Village Haldi Teka P. S. Lalgab, District Rajnandgaon Chhattisgarh
2. Anar Sinha S/o Devi Lal, Aged About 48 Years, R/o Village Haditola, P. S. Chilhati District Rajnandgaon Chhattisgarh
3. Ganesh Ram Jangade S/o Sukalu Ram, Aged About 51 Years, R/o Village Peteshri, P. S. Lalgab, District Rajnandgaon Chhattisgarh
4. Nohar S/o Shivraj, Aged About 48 Years, R/o Village Pendalkuhi, P. S. Chilhati District Rajnandgaon Chhattisgarh
5. Agam Das Chaturvedi S/o Babu Lal, Aged About 39 Years, R/o Village Rengakathera, P. S. Dongergaon, District Rajnandgaon Chhattisgarh,
6. Vikram Singh S/o Bhagwan Das, Aged About 40 Years, R/o Village Rani Talab, P. S. Chichola, District Rajnandgaon Chhattisgarh

---- Appellants**Versus**

- State Of Chhattisgarh Through The Police Station Ambagarh Chowki, District Rajnandgaon Chhattisgarh

---- Respondent

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27/10/2018	Shri N.K. Chatterjee, counsel for the appellants. Shri Anupam Dubey, Dy. G.A. for the State. Heard on I.A.No.01/2018, application for suspension of sentence and grant of bail. The appellants have been convicted under the impugned judgment of conviction and order of sentence dated 30.07.2018 passed by Special Judge (N.I.A.)/Sessions Judge, Bilaspur, in Special Case (N.I.A.) No.8/2017.

Learned counsel for the appellants submits that the conviction of the appellants is founded on seizure of counterfeit currency and a machine, which is highly doubtful because the independent seizure witnesses have turned hostile which render the entire case of the prosecution highly doubtful. It is next submitted that out of three years of R.I. imposed under the impugned judgment under Sections 489-B and 489-C of IPC, both the sentences directed to be run concurrently, appellant Rajendra Tandan (A-1) and Anar Sinha (A-2) have undergone more than one year of R.I., whereas remaining appellants Ganesh Ram Jangade (A-3), Nohar (A-4), Agam Das (A-5) and Vikram Singh (A-6) have also undergone approximately seven months R.I. and, therefore, they may be released on bail.

On the other hand, learned State counsel opposing the bail application submits that looking to the nature and gravity of allegation that the appellants are involved in preparing and circulating counterfeit currency, their application may be rejected.

Having considered the submission of learned counsel for the parties, and further taking into consideration that total period of conviction awarded to them and out of three years of conviction, the appellants have already undergone seven months to one year of R.I., we are inclined to allow the application for suspension of sentence and grant of bail.

Accordingly, I.A.No.01/2018 is allowed. The substantive jail sentence awarded to the appellants is suspended and the appellants are directed to be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each along with one local sureties for the like amount to the satisfaction of the concerned Trial Court for their appearance before the Registry of this Court on 14/12/2018 and thereafter, their appearance before the concerned Trial Court on all such further dates as may be directed, interval being not less than 6 months, during the

pendency of this appeal.

List the matter for final hearing.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge