

(2022) 03 CHH CK 0049
In the Chhattisgarh High Court
Case No : Criminal Appeal No. 225 Of 2022

Raibahadur Nagesh

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 21-03-2022

Acts Referred:

National Investigation Agency Act, 2008 — Section 21(4)
Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 201, 498A, 498B, 498C, 498D, 498E

Citation : (2022) 03 CHH CK 0049

Hon'ble Judges : Sanjay K. Agrawal, J; Rajani Dubey, J

Bench : Division Bench

Advocate : M.K. Beg, Sudeep Verma, Shivali Dubey

Final Decision : Dismissed

Judgement

Sanjay K. Agrawal, J

1. This criminal appeal under Section 21(4) of National Investigation Agency Act, 2008 is directed against order dated 26/11/2021 (Annexure A/1) by which the appellants' bail application under Section 439 of CrPC for offence punishable under Sections 489-A, 489-B, 489-C, 489-D, 489-E read with Section 34 and 201 of IPC has been rejected by learned Session Judge finding no merit.

2. The case of the prosecution, in brief, is that the appellants along with other co-accused namely Rameshra Amlesh were involved in counterfeiting currency notes and they used to run these counterfeit notes in the market and thereby committed the aforesaid offence.

3. Mr. M.K. Beg, learned counsel for the appellants, would submit that the appellants have falsely been implicated in the crime in question and no counterfeit currency notes have been recovered from the appellant No. 1, as such, since the appellant No. 1 has been in jail since 26/02/2021 and appellant No. 2 has been in jail since 01/01/2021, therefore, they may be released on bail.

4. On the other hand, learned State counsel would support the impugned order and submit that learned Session Judge has rightly rejected the bail application of the appellants herein.

5. We have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.

6. Having heard learned counsel for the parties and having gone through the record and case-diary and particularly taking consideration of the nature of evidence available on record and the printer on which the notes were being printed has been seized from appellant No. 1 as well as the counterfeit currency notes has been seized from appellant No. 2, we are of the considered opinion that learned Session Judge is justified in rejecting the bail application of the appellants filed under Section 439 of CrPC.

7. Accordingly, this criminal appeal is dismissed.