

Party Name : MAHARAM ALI ON BEHALF OF ACCD. FAJAR ALI Vs THE STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.C.DAS

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This is a petition under Section 439 of CrPC praying for bail of accused Fajar Ali in connection with Kakraban P.S. Case No.155 of 2014 registered under Section 489B of IPC. The accused petitioner having been surrendered on 26.11.2014 is now in custody.

Heard learned senior counsel, Mr. A.K. Bhowmik for the petitioner and learned Addl. P.P. Mr. R.C. Debnath for the State respondent.

Case diary is produced. Perused the case diary.

The allegation is that the informant Charu Miah sold two cattle heads at a price of `33,500/- to the accused Fajar Ali on 18.09.2014. The accused made the payment to the informant Charu Miah in cash with thirty numbers of thousand rupee currency notes and one five hundred rupee currency note. On 26.09.2014 the informant Charu Miah took out one thousand rupee currency note to purchase medicine for his daughter and at that time the pharmacy people told that the currency note was fake. He thereafter reported the incident to the village elders and the village elders told that they will look into the matter after Id festival. The informant Charu Miah thereafter found that out of those `33,500/-, `9,500/- was genuine notes and the rest was fake notes and thereby he spent `9,500/- for the purpose of treatment of his daughter. He lodged the FIR on 05.10.2014.

If the informant could learn about the fakeness of the currency notes on 26.09.2014 at least on that very day he would lodge the FIR against the accused. Anyway, the matter is now under investigation and the investigating agency is collecting the evidence. So, I do not like to comment on the merit of the case at this stage. However, I find it a fit case to grant bail as prayed for.

Accordingly, it is hereby ordered that accused Fajar Ali be released on bail on his execution of a bail bond of `50,000/-(rupees fifty thousand) with one surety of like amount to the satisfaction of learned Chief Judicial Magistrate, Gomati, Udaipur on condition that he should appear before the I.O. as and when required and that he should not directly or indirectly interfere in the investigation or influence the witnesses.

Bail application accordingly stands disposed of.

Send a copy of this order to the Court of learned Chief Judicial Magistrate, Gomati, Udaipur.

Case diary is returned to learned Addl. P.P.