

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 354 of 2018

1. Virendra Singh S/o Vishambar Singh, Aged About 21 Years Cast- Raotiya R/o Village- Chiyarikani, Thana-Simdega, Distt. Simdega Jharkhand, Jharkhand
2. Niranjan Singh S/o Krishna Singh Aged About 26 Years Cast- Raotiya R/o Village- Jhaliya, Thana- Raideeh, Distt.- Gumla Jharkhand, District : Gumla, Jharkhand

---- Applicants

Versus

State Of Chhattisgarh Through- Police Chowky Ara, Police Station Jashpur,
Dist. Jashpur Chhattisgarh, Chhattisgarh

---- Respondent

Shri Sanjay Agrawal, counsel for the applicant/s.

Shri S. Majid Ali, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/02/2018

This is second bail application. First bail application was dismissed as withdrawn.

The applicants have been arrested in connection with Crime No.15/2017 registered at Police Chowky – Ara, P.S. - Jashpur, District – Jashpur (CG) for alleged commission of offences under Section 394/34 of IPC and Section 25, 27 of the Arms Act.

2. Case of the prosecution is that the applicants looted Rs.17,000/- from a passenger on the road on gun point.

3. Learned counsel for the applicant submits that the applicants have been falsely implicated and now, the complainant has been examined in the Court who has emphatically stated that the faces were closed and has also clearly stated that the present applicants are not those who looted him. Further submission is that the independent witnesses of recovery have turned hostile. Therefore, at this stage, the

applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that looking to the nature of allegations and use of revolver for the purpose of looting Rs.17,000/-, the application may be rejected.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission that the victim has not identified the applicants and that the independent seizure witnesses have turned hostile and the applicants being in jail since one year, I am inclined to grant bail to the applicants.

6. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge