

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5836 of 2018

- Kishore Xalxo S/o Bolwa Xalxo Aged About 26 Years Caste- Uraon, R/o- Village- Dipatoli, Tahsil- Duldula, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Duldula, District- Jashpur, Chhattisgarh.

---- Respondent

AND

MCRC No. 5999 of 2018

- Vikash Kujur S/o Taofil Aged About 27 Years Caste- Urawa, R/o- Village- Dipatola, Tahsil- Duldula, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Duldula, District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant (in MCRC 5836/2018): Mr. Suryakant Mishra, Advocate
For Applicant (in MCRC 5999/2018): Mr. Malay Shrivastava, Advocate
For Respondent/State : Mr. Vaibhav Goverdhan, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

14/09/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section

439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 55/2017 registered at Police Station-Duldula, Distt. Jashpur (C.G.) for the offence punishable under Sections 392, 120-B, 397, 457 & 458 of the IPC and Section 25 & 27 of the Arms Act.

3. As per prosecution story, complainant Jawakim Xalxo lodged a report wherein it was alleged that at about 1 PM two unknown persons broken the lock of his house and entered into his house and looted Rs. 10,500/-, four pieces silver coin and two mobile phones. On the basis of said report, offence has been registered against unknown persons. During course of investigation, on the basis of memorandum statements of both the applicants, looted property has been seized from them and they have been arrested on 31.12.2017.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. The applicants are in custody since 31/12/2018, They further submit that no case is made out against them according to the material available on record, charge-sheet has already been filed and trial will take some time. Therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering the fact that the applicants are in custody since 31/12/2018, trial will likely to take some time to conclude, without

further commenting on merit of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with two local solvent surety each of Rs. 10,000/- to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge