

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 6915 of 2018

(Arising out of Crime No.418 of 2015 registered at P.S. City Kotwali, Distt. Raigarh, Chhattisgarh for the offence punishable u/ss 395 of IPC & Section 25 & 27 of the Arms Act.)

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Khalid Sheikh W/o Muzaffar Ali Aged About 22 Years R/o Bali Pada, P.S.- Ziya Nagar,
District- Piraspur, Bangaldesh. Presently Resided At Salam No. 865, Okhla Mandi, P.S.-
Amar Colony, Delhi., Delhi

--- Petitioner

Versus

State of Chhattisgarh through Police Station- City Kotwali, District- Raigarh, Chhattisgarh.

---- Respondent

12.10.2018	Mr.Sanjay Agrawal, counsel for the applicant. Mr. Aditya Sharma, Panel Lawyer, for the State. Heard. This is second bail application. The earlier one was dismissed on 17.08.2016 on merits. As per the prosecution case, in the intervening night of 19th & 19th of May 2016, the applicant along-with other co-accused persons entered into the house of Balkrishna Kedia at Raigarh, assaulted him and looted cash as also ornaments worth Rs.15 lakhs and thereafter they fled away. Subsequently, the applicant was arrested and on his memorandum cash was recovered and one T-Shirt which was taken away from the house of complainant was recovered. Learned counsel for the applicant submits that no considerable progress has taken place in trial and the applicant is in jail since 29.05.2015. He submits that witnesses Subhash Ram, Suresh Nayak & Dharmendra Sharma along-with two	

other witnesses have been examined and they have turned hostile. Therefore, the applicant may be enlarged on bail.

Per contra, learned State Counsel opposes the bail application.

Perused the earlier bail rejection order dt.17.08.2016 which was rejected on merits. Statements 5 prosecution witnesses have been annexed to the bail application.

It appears that still certain material witnesses are to be examined. At this stage, it would not be appropriate for this Court to evaluate the statements of few of witnesses to reconsider the bail as certain material witnesses are still to be examined. Therefore, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE

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