

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 236 of 2020

Khiro Yadav S/o Sushil Yadav Aged About 20 Years Caste Mahkul, R/o Village Jorandajhariya, Police Station Tumla, District Jashpur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 731 of 2020

- Kalachand Yadav S/o Harihar Yadav Aged About 34 Years Caste- Mahkul, Resident Of Charaikhara, Police Station- Narayanpur, District- Jashpur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicants	: Sdhri Jitendra Kumar Saxena and Shri Harish Khuntia, Advocates
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2020

As both these M.Cr.Cs. arise out of the same crime number, they are being disposed of by this common order.

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. Ishtagasa No.02/2019 registered at police station Narayanpur, District Jashpur (CG) for the offence punishable under Sections 41(1-4) Cr.P.C. and 379 IPC.

As per prosecution case, on receiving secret information that the applicant is searching for customer for sale of the stolen motorcycle, police reached the spot and when he was interrogated, he informed him that the co-accused in M.Cr.C. NO.236/2020 has given the said vehicle for sale. It is further case of the prosecution that when the co-accused was interrogated he has named one Jageshwar who has given him for sale.

Counsels for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He submits that the applicants are in jail since 15.12.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsels for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a

personal bond in the sum of Rs. 50,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge

suguna