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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7 of 2021**

1. Kalindar S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below) Aged About 30 Years R/o Village Bitimkela, P.S. And Tehsil Batouli, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. Jalindar S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below) Aged About 29 Years R/o Village Bitimkela, P.S. And Tehsil Batouli, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh through Police Station Shankargarh (Wrongly Mentioned As Rajpur In Order Of Court Below) District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant**MCRC No. 9 of 2021**

1. Kalindar S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below), Aged About 30 Years R/o - Village - Bitimkela, Police Station And Tehsil - Batouli, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. Jalindar, S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below), Aged About 29 Years R/o - Village - Bitimkela, Police Station And Tehsil - Batouli, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station - Rajpur, District - Balrampur - Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant**MCRC No. 14 of 2021**

1. Kalindar S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below), Aged About 30 Years R/o - Village - Bitimkela, Police Station And Tehsil - Batouli, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

2. Jalindar, S/o Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below), Aged About 29 Years R/o - Village - Bitimkela, Police Station And Tehsil - Batouli, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh ---- **Applicants**

Versus

- State of Chhattisgarh through Police Station - Shankargarh (Wrongly Mentioned As Rajpur In Order Of Court Below) District - Balrampur - Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- **Non-applicant**

MCRC No. 422 of 2021

1. Kalindar S/o Shri Shankar Maravi Aged About 30 Years (Wrongly Mentioned As Shankar Gond In Order Of Court Below), R/o Village- Bitimkela, P.S. And Tehsil- Batouli, District- Jashpur (C.G.), District : Jashpur, Chhattisgarh
2. Jalindar S/o Shri Shankar Maravi Aged About 29 Years (Wrongly Mentioned As Shankar Gond In Order Of Court Below), R/o Village- Bitimkela, P.S. And Tehsil- Batouli, District- Jashpur (C.G.), District : Jashpur, Chhattisgarh

---- **Applicants**

Versus

- State of Chhattisgarh through Police Station- Rajpur, District- Balrampur- Ramanujanj (C.G.), District : Balrampur, Chhattisgarh

---- **Non-applicant**

MCRC No. 427 of 2021

1. Kalindar S/o- Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below) Aged About 30 Years R/o- Village- Bitimkela, P.S. And Tehsil- Batouli, District - Surguja, (Wrongly Mentioned As Jashpur In Order) Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
2. Jalindar S/o- Shri Shankar Maravi (Wrongly Mentioned As Shankar Gond In Order Of Court Below) Aged About 29 Years R/o- Village- Bitimkela, P.S. And Tehsil- Batouli, District - Surguja, (Wrongly Mentioned As Jashpur In Order) Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh ---- **Applicants**

Versus

- State Of Chhattisgarh Through Police Station- Rajpur, District- Balrampur-Ramanujanj (Chhattisgarh), District : Balrampur, Chhattisgarh

---- **Non-applicant**

For Applicants	:	Mr. Pawan Shrivastava, Advocate.
For State	:	Mr. C.B. Kesharwani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

08-02-2021

1. The aforesaid M.Cr.Cs are being disposed of by this common order as they arise out of Crime Nos.23/2020, 24/2020, 46/2020, 47/2020 and 44 of 2020, registered in Police Station Shankargarh, Rajpur, District Balerampur-Ramanujganj for offence punishable under Sections 457 and 380 of IPC.
2. The applicants have preferred the aforesaid bail applications under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as they are in jail since 18-3-2020 in connection with Crime Nos.23/2020, 24/2020, 46/2020, 47/2020 and 44 of 2020, registered in Police Station Shankargarh, Rajpur, District Balerampur-Ramanujganj for offence punishable under Sections 457 and 380 of IPC.
3. The allegation against the present applicants is that along with other co-accused they have committed theft of goats belonging to different villagers. When one of the accused was arrested on suspicion, he revealed that all the all the accused persons have committed theft of goats belonging to different persons from 12th March 2020 to 16th March 2020 and on the basis of report lodged in Police Stations by the complainants, offence was registered against the applicants.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case, they have not committed any theft of goats. He would further submit that only on the basis of memorandum statement of co-accused, present applicants have been arrested and no recovery has been made from the present applicants. He would further submit that co-accused Majbula Answari and Mehtab Alam have already been released on bail in M.Cr.C. Nos. 3641 of 2020 and 5089 of 2020, charge sheet has been filed, except present one, no other criminal antecedents have been reported against the present applicants, they are in jail since 18-3-2020 and conclusion of the trial is likely to take some time, therefore they may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the present applicants have no other criminal antecedents.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the fact that co-accused persons have already been released on bail, detention period of the applicants, offence is triable by the Judicial Magistrate First Class, there is no likelihood of the applicants tampering with the evidence of absconding and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion present are fit cases to grant bail to the applicants.
8. Accordingly, the application is allowed and it is directed that the applicants shall be released on bail on each of them executing a

personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. They shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicants are being granted bail on the following conditions:

- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such fact to the Court,
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial court in the event of applicants involving themselves in similar nature of offence.

Sd/-

(Gautam Chourdiya)
Judge

Raju