

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1000 of 2016

1. Pradeep Kumar Baghel, aged about 26 years, S/o C.R. Baghel, R/o Village Bangachar, Thana Durgukondal, District U.B. Kanker (C.G.)
2. Sarit Kumar Netam, aged about 23 years, S/o Manguram Netam, R/o Village Dodka Anhur, Thana Siksod, District U.B. Kanker (C.G.)
3. Maniram, aged about 28 years, S/o B.R. Uike, R/o Village Laltmarka, Thana Badgaon, District U.B. Kanker (C.G.)

---- Applicants

Versus

The State of Chhattisgarh, through Police Station Durgukondal, District U.B. Kanker (C.G.)

---- Non-applicant

For Applicants:	Mr. Parag Kotecha, Advocate.
For Non-applicant:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board08/03/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.38/2015, registered at Police Station Durgukondal, Distt. Uttar Bastar Kanker, for the offence punishable under Sections 9, 39, 44, 48, 49, 49-B and 51 of the Wild Life Protection Act, 1972.
2. Case of the prosecution, in brief, is that the applicants and two other co-accused persons hunted scheduled animals 3 leopards and transported the same, and thereby committed the offence.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the case. Trophy of the leopard was not recovered from the present

applicants, it was recovered from one Kantilal, co-accused. The applicants are in jail since fairly long time i.e. applicants No.1 & 2 are in jail since 12-8-2015 and applicant No.3 is in jail since 8-9-2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application and submits that motorcycle and other articles have been seized.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicants, trophy of leopard was seized from the possession of co-accused Kantilal, pretrial detention of the applicants and charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicants on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge