

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7715 of 2015

1. Vivekanand Bhatt, S/o. Budhnath Bhatt, Aged About 32 Years, Caste Barambhatt, R/o. Village Dagbada, Thana & Tah. Sitapur, Civil And Revenue Distt. Sarguja, Distt. Sarguja, Chhattisgarh.
2. Ashok Kumar, S/o. Rambharosh, Aged About 41 Years, Caste Roniyar, R/o. Village Dagbada, Thana & Tah. Sitapur, Civil And Revenue Distt. Sarguja, Distt. Sarguja, Chhattisgarh.
3. Manohar, S/o. Krishan Kumar Kashyap, Aged About 32 Years, Caste Kashyap, R/o. Village Kamrai, Thana Kapu, Civil And Revenue Distt. Raigarh, Distt. Raigarh, Chhattisgarh.

----Applicants

Versus

State Of Chhattisgarh Through Incharge Officer Of Forest Circle -
Pathalgaon, Thana Pathalgaon, Distt. Jashpur, Chhattisgarh

---- Respondent

For Applicants	: Mr. Sharmila Singhai, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No./P.O.R. No.8717/2015, registered at Police Station/Forest Circle - Pathalgaon, District – Jashpur (C.G.) for the offence punishable under Section 2, 9, 40, 39, 44, 50 & 51 of the Wild Life (Protection) Act, 1972.
2. Case of the prosecution, in brief, is that on 25.11.2015, the applicants alongwith other co-accused were carrying trophy of skin of Pangolin and travelling towards Ambikapur.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case. She further submits that the charge-sheet in this case has been filed and the applicants are in jail since 26.11.2015. She would further submit that the similarly placed co-accused has been enlarged on bail on 06.01.2016 in M.Cr.C. No.7419/2015 by this Court; therefore, the present applicants may also be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, after verification, he do not dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into fact that charge-sheet has been filed and the applicants are in jail since 26.11.2015 and further considering the fact that the similarly placed co-accused has been enlarged on bail, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge