

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. NO. 2702 OF 2016

Surendra Narwas, S/o Suraj Lal Narwas, aged about 25 years, R/o Nayapara, Antagarh, P.S. Antagarh, District Kanker (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Forest Range Antagarh, District Kanker (C.G.)

... Non-applicant

For Applicant	:	Mr. R.K. Kesharwani, Advocate, under instructions of Mr. Prakash Tiwari, Advocate.
For Non-applicant/State	:	Mr. Vivek Sharma, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/06/2016

1. This is the first application filed under Section 439 of CrPC for grant of bail to the Applicant who is in jail since 7.1.2016 in connection with Crime No. 290/2016 registered at Police Station Forest Range, Antagarh, District Kanker, for the offence punishable under Sections 9, 39, 40(2) (4), 44, 49(B) (iii), 50, 51 and 52 of the Wild Life (Protection) Act, 1972.
2. As per the prosecution, allegation against the Applicant is that the Applicant and the other 15 co-accused persons were found making attempt to sell the trophy of tiger and thereby committed the offence.
3. Learned Counsel for Applicant submits that most of the co-accused persons have already been released on bail and that the nature of allegations levelled against the Applicant is similar to the allegations levelled against the other co-accused persons who have already been enlarged on bail and therefore the present Applicant may also be released on bail.

4. Learned Counsel for the State after verifying the case diary admits the fact that the nature of allegations levelled against the present Applicant is similar to that of the allegations levelled against the other co-accused persons who have been enlarged on bail.

5. Without commenting on merits, considering the totality of the facts and circumstances of the case and also taking note of the fact that the other similarly placed co-accused persons have been granted bail, this Court is of the opinion that the present is a fit case where the Applicant can also be enlarged on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
V. Judge