

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 84 of 2016

- Kuldeep Singh @ Soni S/o Kashmir Singh Aged About 31 Years R/o Quarter No. 46 G, Camp -1, Bhilai, Tahsil And District Durg Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The District Magistrate Rajnandgaon Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Mohd. Tariq Haider, Advocate
For the Respondent	:	Mr. Ramakant Mishra, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 172/2015 registered at P.S. Somani, Distt. Rajnandgaon (C.G) for the offence punishable under Section 39(3)(A)(B), Section 48(A) of Wild Life (Protection) Act, 1972 and Section 3/181, 146/196 of Motor Vehicles Act.
2. The prosecution case, in brief, is that on 09.09.2015 on information received that the applicant alongwith co-accused is trying to sell leopard skin, the Forest Officer and Police intercepted the applicants on highway and the accused persons were caught with leopard skin which was found in the Car bearing Regn. No.C.G.07-G/1639.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the charge sheet having been filed, no further investigation is necessary. He further submits that the applicant is in jail since 09.09.2015

and similarly placed co-accused Roshan Kumar Funde and Shyamsher Singh have been granted bail by this Court in M.Cr.C.No.6986 and 7031 of 2015, therefore, this applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, after verification, he do not dispute the fact that similarly placed co-accused have been enlarged on bail.
5. Having regard to the totality of the facts and circumstances especially the fact that the charge sheet in this case has already been filed and the applicant is in jail since 09.09.2015 as further considering the fact that similarly placed co-accused have been enlarged on bail by this Court, I am inclined to release this applicant also on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE