

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.583 of 2016**

Jairam Singh S/o Maha Singh Gond, aged about 25 years, R/o Padwari
Police Station Chandni, Tah Odgi, Distt Surajpur (CG)

---Applicant

Versus

State of Chhattisgarh, Through Forest Range Officer, Biarpur, District :
Surajpur (CG)

---Non-applicant

For Applicant	:	Mr. Sushil Dubey, Advocate
For Non-applicant	:	Mr. S.Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

17/02/2016

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 applicant who has been arrested in connection with Crime No.54/2015, registered at Police Station-Chandni, District-Surajpur (CG), for the offence punishable under Section 39(B), 49(A) and 51 of the Wild Life Protection Act, 1972.

2. Case of the prosecution, in brief, is that the applicant was found in possession of one trophy of leopard and he alleged to have hunted the schedule animal under the Wild Life Protection Act.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 6.11.2015, charge-sheet has already been filed and no

useful purpose would be served by detaining him in jail and therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of offence; role of the present applicant; his pre-trial detention; nature of evidence available and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-