

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3023 of 2016

- Arkhit Manjhi S/o Sadhram Manjhi Aged About 30 Years R/o Village Gatibeda, Police Station Komna, Civil & Revenue District Nuapada, Oddisa. --- **Petitioner**

Versus

- State of Chhattisgarh through the Police Station Manpur, Gariyaband, District Gariyaband, Chhattisgarh. **Respondent**

For the applicant	:	Mr. Manoj Paranjpe, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 18/2016 (wrongly typed in order sheet as 23/2016) registered at P.S. Manpur, Gariyaband, Distt. Gariyaband (C.G) for the offence punishable under Section 9, 39(B), Section 20 & 51 of the Wild Life (Protection) Act, 1972
2. As per the prosecution case, on 19.02.2016 the applicant along-with other co-accused were transporting pangolin they were intercepted and live pangolin was recovered from them thereby the offence is committed.
3. Learned counsel for the applicant submits that a pangolin was recovered from one co-accused Bhushan which was alive and after examination it was left over in the forest and the applicant who is coming from behind other co-accused Bhushan has been apprehended. It is further submitted that the applicant has been falsely implicated in this case; charge

sheet in this case has been filed and he is in jail since 19.02.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the totality of the facts and circumstances and the degree of allegation levelled against the applicant as also the fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 19.02.2016, I am inclined to release the applicant 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE