

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8082 of 2016

1. Ramkumar Sahu, S/o. Satyawan Sahu, Aged About 42 Years, R/o. Shantipara, Atal Chowk, Sambalpur, Tahsil Bhanupratappur, District Kanker (Chhattisgarh).
2. Kuleshwar Kumar Sahu, S/o. Shrawan Kumar Sahu, Aged About 27 Years, R/o. Ward No. 8, Nagri, Tahsil & Police Station Nagri, District Dhamtari (Chhattisgarh).

---- Applicants

Versus

State Of Chhattisgarh, Through the Police Station- Nagri, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/12/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No.73/2016 registered at Police Station- Nagri, District Dhamtari (C.G.) for the offence punishable under Section 44/09, 51 of Wild Life (Protection) Act, 1972 and Section 26 of the Indian Forest Act, 1927.
2. As per the prosecution case, on 20.09.2016 while the applicant alongwith others were traveling in a Jeep, two live Tortoise were found in his possession.
3. Learned counsel for the applicants would submit that the similarly placed co-accused Gokaran Chaturvedi has been enlarged on bail

by this Court on 22.11.2016 in MCRC No.6686 of 2016 and the case of the present applicants is similar, therefore, they may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the other similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case 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.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge