

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6677 of 2018

1. Umesh Thakur And Ors. S/o Beersay Aged About 32 Years R/o Village- Lilouti, Thana- Pasta, Police Chouki- Daura, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
2. Permishwar S/o Beersay Aged About 20 Years R/o Village- Lilouti, Thana- Pasta, Police Chouki- Daura, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
3. Ramesh Kumar S/o Seersay Aged About 23 Years R/o Village- Lilouti, Thana- Pasta, Police Chouki- Daura, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Chouki- Daura, Police Station- Pasta, District- Balrampur-Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

For Applicants	: Shri A.K.Yadav, Advocate
For Respondent/State	: Shri D.R.Minj, Dy.G.A.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/10/2018

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.28/2018 registered at police station Pasta, Balrampur, District Ramanujganj (CG) for the offence punishable under Sections 39,44,48(A), 50,51,52 of the Wild Life (Protection) Act, 1972.

As per prosecution case, on 28.06.2018, information was received by the police that some people are making attempt to trap pangolin. At about

11.30 p.m. the police intercepted and on search being made by the police they found live pangolin packed in a gunny bag and scales of pangolin, and mobile set from the applicants which they were carrying in a motorcycle.

Counsel for the applicants submits that the seizure of the said pangolin was made from other accused persons and not from the present applicants. He further submits that no case is made out against the applicants on the basis of material placed before the court by the prosecution. He submits that the offences are triable by the Judicial Magistrate First Class and the trial will take time for its final disposal, therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicants, I am inclined to enlarge them on bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- with one surety each in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge