

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8572 of 2018

1. Krishan Kumar Maravi S/o Itwar Singh Maravi, aged about 45 years, R/o Village- Chepa, Thana- Pali, District- Korba, Chhattisgarh.
2. Rajendra Maravi S/o Awadhram Maravi, aged about 25 years, R/o Village- Chepa, Thana- Pali, District- Korba, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Police Station- Darri, District- Korba, Chhattisgarh.

---- Respondent

For Applicants : Shri Vikash Pandey, Advocate.
For Respondent/State : Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/11/2018

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 182/2018, registered at Police Station – Darri, District- Korba, (C.G.) for the offence punishable under Sections 39 (1) (A), 40, 48A of the Wildlife (Protection) Act, 1972.
2. As per the prosecution story, on 21.08.2018, during patrolling, police personnel searched the Applicants who were sitting in a motorcycle bearing registration No. CG-10-EB-0668. Applicant No. 01 Krishan Kumar Maravi was riding the motorcycle whereas Applicant No. 02. Rajendra Maravi was a pillion rider. On being searched, six horns of Kotri and deer and one skull of Kotri were seized from the possession of Applicant No. 01. On the basis of the above, offence has been registered against Applicant No. 01 and 02 and they have been taken into custody on 21.08.2018 and 24.08.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that offence is triable by JMFC and the Applicant No. 01 and 02 are in custody since 21.08.2018 and 24.08.2018 respectively, and trial will take some time. Therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant No. 01 and 02 are in custody since 21.08.2018 and 24.08.2018 respectively and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge