

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8556 of 2018

- Ramaoutar S/o Juthan Ram Aged About 45 Years R/o Village Budhabagicha ,Thana Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chowki -Davra, Police Station Pasta, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

AND

MCRC No. 8939 of 2018

1. Joseph Lakra S/o Mangalsay Lakra Aged About 30 Years R/o Karva, Thana Odgi , Lage -Budhabagicha District Surajpur Chhattisgarh
2. Kamleshwar Lakra S/o Manglsay Lakra Aged About 45 Years R/o Karva Thana Odgi , Lage -Budhabagicha , District Surajpur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Pasta District -Balrampur -Ramanujganj Chhattisgarh

---- Respondent

For Applicant (in MCRC 8556/2018) : Mr. AK Yadav, Advocate

For Applicant (in MCRC 8939/2018) : Mr. AK Yadav, Advocate

For Respondent/State : Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/11/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in

connection with Crime No. 28/2018 registered at Police Station- Pasta, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 39, 44, 48(A), 50, 51 and 52 of the Wild Life (Protection) Act, 1972.

3. As per prosecution story, on 28.06.2018, police officials received information from the informant that some people making attempt to trap pangolin. On the basis of said information, police party searched and found live pangolin in a gunny bag and scales of pangolin which has been recovered from the present applicant and other co-accused persons. The applicants are in custody since 28.06.2018.
4. Counsel for the applicants submits that both the applicants are innocent and have been falsely implicated in the present case. He further submits that the other co-accused persons namely Umesh Thakur, Permeshwar and Ramesh Kumar have already granted benefit of bail by this Court vide order dated 05.10.2018 passed in M.Cr.C. No. 6677/2018, present applicants are in custody since 26/06/2018, charge-sheet has already filed and trial will take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the other co-accused persons have already granted benefit of bail by this Cour, present applicants are in custody since 28/06/2018, charge-

sheet has already filed and trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. 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 sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)
Judge**