

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 172 of 2019**

1. Suraj Lal S/o Vishwanath(Wrongly Mentioned In Order Sheet as Shivnath) Aged About 21 Years R/o Village- Kharsota, Police Station- Pasta, District- Balrampur, Chhattisgarh.
2. Mansai S/o Rupan, Aged About 22 Years R/o Village- Kharsota, Police Station- Pasta, District- Balrampur, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station- Forest Range Officer, Game Ranger, Semarsot Forest, Abhyaranya, Balrampur, District- Balrampur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Pushkar Sinha, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**30/01/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Forest Crime No. 16520/02, registered at Police Station – Semarsot Forest, Abhyaranya, District- Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 26 (F) (W) of Indian Forest Act, 27, 29, 31 & 51 of Forest Animal Protection Act & 3, 1 (A) of Lok Sampati Kshati Nivaran Act.
2. As per the prosecution story, on 08.10.2018 vehicle bearing registration No. BR/02/GA/3494 was searched by the Forest Official. On being searched, total 99 pieces of Saal Wood measuring 1.525 cubic meter was found loaded in the said vehicle. Allegedly, the said Saal Woods were illegally transported by the co-accused namely Kaushal Kumar, Anup Verma & Kunal Singh which were seized from

their joint possession. On the basis of the said, offence has been registered against the present Applicants. They have been taken into custody on 16.10.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that co-accused namely Koushal Kumar Gupta, Anup Verma & Kunal Singh have already been granted bail by this Court vide order dated 01.12.2018 passed in MCRC No. 8620/2018. Applicants are in custody since 16.10.2018 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 Applicants are in custody since 16.10.2018, they have no known criminal antecedents 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 Applicant 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 concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

