

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 320 of 2019

- Anjan Singh, S/o Thansingh Kamar, aged about 55 years, R/o Kolpadar, Police Station – Patewa, Tahsil & District Mahasamund, (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Though Station House Officer, Police Station Patewa, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Suresh Tandan, Advocate
For State/Respondent	:	Shri D.P. Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/02/2019

1. The Applicant has preferred this first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 103/2018 registered at Police Station- Patewa, District –Mahasamund, (C.G.) for the offence punishable under Sections 09, 39, 49, & 51 of the Wildlife (Protection) Act, 1972.
2. As per the prosecution story, on 27.07.2018, Investigating Officer of the case received a secret information that three unknown persons were carrying a white plastic bag containing skin of panther and other articles on a motorcycle bearing registration No. CG 06/GA/0360 and they were in search of a buyer to sell out those articles. The Investigating Officer caught Applicants near Village Serekel road. Upon interrogation of the three persons, the Investigating Officer found the information to be correct. Accordingly, Crime No. 103/18 has been registered. From the joint possession of the Applicant and co-accused Lalit Dhru & Mithilesh Bariha,

one skin of panther, two teeth of leopard and nails have been seized. From the possession of present Applicant, two bow & arrow, knives, jaw were also seized. Chare-sheet has already been filed before Judicial Magistrate First Class, Mahasamund, Chhattisgarh.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case, he is in custody since 27.07.2018 and trial will take some time. He further submits that other co-accused namely Lalit Dhru & Mithilesh Bariha have already been granted bail by this Court vide order dated 09/10/2018 passed in MCRC No. 6253/2018. Therefore, he may also 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 entire facts and circumstances of the case, particularly considering the fact that the Applicant is in custody since 27.07.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge