

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3181 of 2019**

Suresh Prasad Gupta S/o Shri Dukhan Sao Aged About 45 Years R/o
 Birajpur, Police Station Ramkanda, District Garhwa, (Jharkhad),
 District : Garhwa *, Jharkhand.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Forest Rang Officer Semarsot
 Abhyayanya Balrampur Wrongly Mentiion As Police Station Balrampur
 , District Balrampur Ramanujganj Chhattisgarh., District : Balrampur,
 Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri D.K. Tiwari, Advocate
For the State	:	Shri Ravish Verma, Govt. Advocate

Hon'ble Mrs. Justice Rajani Dubey

Order On Board

27/05/2019

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Forest Crime No.16520/2002 registered at Police Station Forest Range Officer Semarsot Abhyaranya Balrampur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 26 (च)(स) of Indian Forest Act, 27, 29, 31 & 51 of Forest Animal Protection Act & 3, 1(A) of Lok Sampati Kshati Niwaran Act.
3. Case of the prosecution, in brief is that on 8/10/2018 vehicle bearing registration No. BR02GA3494 was searched by the Forest Official. On being searched, total 99 pieces of Saal Wood was found loaded in the said vehicle. It is alleged that the applicants and other co-accused persons were illegally transporting the said wood, which were seized from their joint possession. On the basis of the above, offence has been registered. The applicant has been taken into custody since 06/04/2019.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 20,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Mrs. Rajni Dubey)
Vacation Judge

Kamde