

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3650 of 2019

- K.M. Bhattacharya S/o Shri S.K. Bhattacharya, Aged About 58 Years R/o Steel City, Police Station Telibandha Raipur Tahsil And District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Maudhapara, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

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For Applicant : Shri Amiyakant Tiwari, Advocate.  
 For Non-applicant : Ms. M. Asha, Panel Lawyer

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**Hon'ble Shri Justice Sharad Kumar Gupta**  
**Order On Board**

**18.06.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 111/2019 registered at Police Station – Maudhapara, Raipur District – Raipur (C.G.) for the offence punishable under Sections 39, 51 of Wild Life Protection Act, 1972.
3. Case of the prosecution, in brief is that applicant had taken skin of pangolin from Amarjit Sahu, Manager of the hotel Vinar at Raipur to see it for sale. On the memorandum of the applicant skin of one pangolin was seized from him on 10.05.2019 by sub-inspector Ramchand Sahu posted at police station Maudhapara.
4. Learned counsel for the applicant argued that applicant has no criminal background, he is innocent, the offence is triable by JMFC, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-  
 (Sharad Kumar Gupta)  
**JUDGE**