

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6541 of 2019**

- Anjay Toppo S/o Jaimal aged about 32 years, Caste Uraon, R/o village Kardoni, PS Lundra District-Surguja, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh, Through : the Van Parikshetra Sahayak Adhikari, Ambikapur, District-Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Jitendra Shrivastava, Adv.
For Respondent/State	: Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime (POR) No. 10880/2019 registered at Police Station Van Parikshetra Sahayak Adhikari, Ambikapur, District-Surguja (C.G.) for the offence punishable under Sections 26(1) च, and 52 of the Bhartiya Van Adhiniyam.
2. The prosecution story, in brief is that, an information received the police of City Kotwali and intercepted the vehicle bearing registration No. UP-64-AT-4408 (Pick Up) and seized 90 Nos. of Sarai wood from the possession of the applicant and co-accused who are taking the said wood for sale in Ambikapur. Further, alleging that the applicant is in habit of selling the forest wood in illegal manner in connivance with the co-accused. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question.

The applicant is in jail since 03.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence is triable by Judicial Magistrate First Class, the applicant is in jail since 03.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**