

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6417 of 2019**

- Teej Ram Miri son of Sadh Ram Miti, aged about 54 years, R/o village Ranger Para, Ward No.15, Sarangarh, P.S. Sarangarh, District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Forest Range Officer, Gomarda Abhyaranya Sarangarh, District Raigarh (C.G.)

---- Respondent

For Applicant	:	Shri Vinod Tekam, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****28/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Forest Crime No.7510/2019, registered at Police Station – Forest Range Officer, Gomarda Abhyaranya Sarangarh, District Raigarh (C.G.) for the offence punishable under Sections 9, 27, 29, 31, 50 and 51 of the Wild Life (Protection) Act, 1972.
2. The prosecution story, in brief, is that on 09.09.2019, the Forest Range Officer, Sarangarh recovered one air gun and died bird (Padki) from the possession of the applicant. Based on this, offence has been registered. The present applicant has been taken into custody on 09.09.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the maximum punishment under Sections 9, 27, 29, 31, 50 & 51 of the Wild Life (Protection)

Act is of three years and the offence is triable by Magistrate. He also submits that the applicant is in custody since 09.09.2019, the case is under investigation and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 09.09.2019, the offence is triable by Magistrate and the trial is 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 his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge