

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6581 of 2019**

- Ramjan S/o Bakridan Aged About 20 Years, Caste Muslim R/o Ramnagar, P. S. Basantpur, District Balrampur, Chhattisgarh.

---- Applicant**Versus**

- The Forest Range Assistant Officer-Ambikapur District Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rishikant Mahobia, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/12/2019**

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 Forest Crime (P.O.R.) 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, 52 of Bhartiya Van Adhiniyam, 4(5) of Kast chiran Adhiniyam, 41 Rule 3 of Chhattisgarh Abhivahan Vanopaj Niyam, 5(1) of C.G. Vyapar (Viniyam) Adhiniyam and 3(1) of Lok Sampatti Haani Nivaran 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 and other

co-accused person.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the other co-accused has already been granted bail in MCRC No. 6541/2019, and the present applicant may also be extended the benefit of bail. He submits that the present 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, detention period of applicant and further considering the facts that the other co-accused has already been granted bail by this Court. The present 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**