

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9192 of 2018

- Ramlal S/o Mangala, aged about 50 years, R/o of Amdari, Thana – Rajpur, District – Balrampur Ramanujganj (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Police Station – Pasta, District- Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant	: Mr. Vikash Pandey, Advocate.
For Respondent/State	: Mr. Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/01/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 28/2018, registered at Police Station – Pasta, District- Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 39, 44, 48 (A), 50, 51 & 52 of the Wild Life (Protection) Act 1972.
2. As per prosecution story, on 28.06.2018, information was received from the informant to the police that some people are making attempt to trap pangolin. At about 11:30 PM on being searched by the police, they have found one live pangolin from the possession of co-accused Kamleshwar, allegedly present Applicant found in possession with 7 skulls of pangolin. On the basis of above, offence has been registered. The Applicant is in custody since 28.06.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He

further submits that the other co-accused persons namely Umesh Thakur Parmeshwar and Ramesh have already granted benefit of bail by this Court vide order dated 05.10.2018 passed in MCRC No 6677/2018, co-accused Ramaoutar granted benefit of bail vide order dated 28.11.2018 passed in MCRC No. 8556/2018 and co-accused Joseph Lakra and Kamleshwar Lakra granted benefit of bail vide order dated 28.11.2018 passed in MCRC No. 8939/2018. The Applicant is in custody since 28.06.2018, charge-sheet has already filed and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the co-accused persons have already granted benefit of bail by this Court. The Applicant is in custody since 28.06.2018, charge-sheet has already filed and trial will likely to take some time. Therefore, he may be released on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- 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.

Sd/-
(Arvind Singh Chandel)
Judge