

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 69 of 2020**

- Narendra Kumar Patel S/o Late Shri Kushal Prasad Patel Aged About 30 Years R/o Village - Nandbaru, Post - Sirpur, Thana - Tumgaon, Tahsil And District Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Forest Officer, Forest Region Barnawapara District Balodabajar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14/02/2020**

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. 1986/2019 registered at Police Station-Forest Range, Baarnavapara, District - Baloda-Bazar-Bhatapara (C.G.) for the offence punishable under Sections 9, 27, 31, 39, 50, 51 and 52 of Wild Life Protection Act.
2. The prosecution story, in brief is that, on the date of incident, when the forest officers were on patrolling duty, it was found that the applicant and other co-accused persons have entered the sanctuary in a car and was standing on the way in suspicious condition. It is further alleged that on search being made, two cheetal (Chinkaras) were hunted and kept in plastic bags. Based on this, offence has been registered against the present applicant and other co-accused persons.
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 persons have already been granted bail in MCRC Nos. 28/2020 and 292/2020 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 08.12.2019, 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 persons have already been granted bail and the applicant is in jail since 08.12.2019 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**