

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1107 of 2020**

1. Jagdish S/o Rupau Pardhi, Aged About 52 Years R/o Village - Madhitarai, Police Station - Dongargarh District - Rajnandgaon Chhattisgarh.
2. Likhan S/o Shiv Singh Aged About 50 Years R/o Village - Boierdeeh, Police Station - Lalbag District - Rajnandgaon Chhattisgarh.
3. Gulab Chand S/o Likhan Pardhi, Aged About 25 Years R/o Village - Boierdeeh, Police Station- Lalbag District- Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Ranger Forest Range, Rajnandgaon District - Rajnandgaon Chhattisgarh.

--- Respondent

For Applicant	:	Mr. Shashi Bhushan Tiwari, Advocate.
For Respondent/State	:	Mr. D.K. Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.06.2020**

- The accused/applicants have moved his first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with P.R.O. No./Crime No. 887/2011 registered at Police Station - Forest Range, Rajnandgaon, District- Rajnandgaon (C.G.) for the offence punishable under Sections 9, 39, 50, 50(4) of the Protection of Wild Animal Act, 1972.
- According to the prosecution story, on 20.12.2019, information of informant the Officers of Forest Range, Rajnandgaon have seized meat of wild pig kept in their house, therefore, the offence under Sections 9, 39, 50, 50(4) of the Protection of Wild Animal Act, 1972 against the present applicants.
- Learned counsel for the applicants submits that the learned court below failed to appreciate that the prosecution has miserably failed to bring home the ingredients of the charges under Sections 9, 39, 50, 50(4) of the Protection of Wild

Animal Act, 1972 against the present applicants.

- The applicants are innocent and have been falsely implicated in the crime in question.
- The applicants respectfully submits that without verifying the origin of the meat, the Forest Range, Rajnandgaon have arrested them.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.
- It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge