

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1114 of 2020**

- Vishnupad Mandal S/o Late Satish Chandra Mandal Aged About 65 Years R/o Ward No. 01, U.V. No.-4, Police Station Umarkot, District- Navrangpur, Odisha, District : Nabarangapur, Orissa

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Forest Range Officer, Amravati Forest Range, Forest Division South Kondagaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondent**MCRC No. 1218 of 2020**

- Kashinath Behara S/o Late Ghasiram Aged About 45 Years R/o Gandhinagar, Navarangpur, Tahsil And District - Navarangpur Orisa, District : Nabarangapur, Orissa

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Forest Range Officer, Amravati Range, South Kondagaon, Forest Division Kondagaon, District : Kondagaon, Chhattisgarh

---- Respondent**MCRC No. 1343 of 2020**

- Girja Shankar Poricha S/o Late Gupta Kaushal Aged About 32 Years R/o Mahapatra Colony District Navrangpur, Orissa, District : Nabarangapur, Orissa

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Forest Zonal Officer, Amravati Forest Divisional Officer, Kondagaon District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicants	:	Shri Arun Kumar Shukla, Shri Subhash Yadav and Shri Vikash Shrivatava, Advocates in respective petitions.
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey

Order on Board**23/03/2020**

1. Since the aforesaid bail applications arise out of the same crime number, they are being disposed of together by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Forest Crime No.17323/01 registered at Forest Division – Amravati Forest Range, South Kondagaon, District Kondagaon (C.G.) for the offence punishable under Sections 9/51, 39/51, 43/51, 44/51, 48/51 and 52/51 of Wildlife Protection Act, 1972.
3. Allegation against the present applicants is that, they being the member of organized trade of hunting and trafficking of wild animals, found in illegal possession of pangolin (*Manis crassicaudata*), which is mentioned at Sl. No. 28 of Part 1 of the Indian Wildlife Protection Act, 1972, for selling purpose. Based on this, offence has been registered. The present applicants have been taken into custody on 09.11.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that other co-accused persons have already been enlarged on bail vide order dated 04.02.2020 passed in MCRC No.8232/2019 and other connected matters and, therefore, the present applicants may also be granted bail. It is next submitted that the applicants are in custody since 09.11.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, also they may be released on bail.
5. On the other hand, learned counsel for the State opposed the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the

case, and further considering the fact that other co-accused persons have already been granted bail by this Court, the applicants are in custody since 09.11.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- - Rs.50,000/- each with one local surety for the like amount to the satisfaction of the trial Court/remand court for their appearance before the said Court as and when directed, till the final disposal of trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde